

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1158322-1

Total Deleted Page(s) = 193

Page 20 ~ Referral/Direct;
Page 21 ~ Referral/Direct;
Page 22 ~ Referral/Direct;
Page 23 ~ Referral/Direct;
Page 24 ~ Referral/Direct;
Page 25 ~ Referral/Direct;
Page 26 ~ Referral/Direct;
Page 27 ~ Referral/Direct;
Page 28 ~ Referral/Direct;
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Page 176 ~ b6; b7C; b7D;
Page 177 ~ b6; b7C; b7D;
Page 178 ~ b6; b7C; b7D;
Page 180 ~ Referral/Direct;
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Page 285 ~ b6; b7C; b7D;
Page 286 ~ b6; b7C; b7D;
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Page 297 ~ Referral/Direct;
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Page 372 ~ Referral/Direct;
Page 380 ~ b6; b7C;
Page 381 ~ b6; b7C;
Page 382 ~ b6; b7C;
Page 388 ~ b6; b7C;
Page 389 ~ b6; b7C;
Page 390 ~ b6; b7C;
Page 391 ~ b6; b7C;
Page 394 ~ b6; b7C;
Page 399 ~ b6; b7C;
Page 400 ~ b6; b7C;
Page 401 ~ b6; b7C;
Page 402 ~ b6; b7C;
Page 403 ~ b6; b7C;
Page 404 ~ b6; b7C;
Page 405 ~ b6; b7C;

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FBI

TRANSMIT VIA:

☒ Teletype
☐ Facsimile
☐ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date 3/18/96

FM FBI WMFO (46A-WF-179870 SUB UU) (P)

TO DIRECTOR FBI/ROUTINE/

FBI CINCINNATI/ROUTINE/

FBI CLEVELAND/ROUTINE/

FBI DALLAS/ROUTINE/

FBI LOUISVILLE/ROUTINE/

BT

UNCLAS

CITE: //3920//

SUBJECT: BIG BOUNCE; MAJOR CASE #55; OO:WMFO

FORMER U.S. CONGRESSMAN DONALD E. "BUZ LUKENS".

RE 3/4/96 TELETYPE TO BUREAU FROM WMFO, 3/15/96 TELCALL
 BETWEEN SA [REDACTED] WMFO, AND SSA [REDACTED] FBIHQ
 AND 3/15/96 TELCALL BETWEEN SSA [REDACTED] FBIHQ, AND SA
 [REDACTED], WMFO.

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b7cApproved: *WCC/92*Original filename: 125001W-078 ← *act A'd*Time Received: Telrep filename: 12500150.078MRI/JULIAN DATE: 1078/78ISN: 010FOX DATE & TIME OF ACCEPTANCE: 3-18-96 543 2:59 PM

^PAGE 2 WMFO (46A-WF-179870 SUB UU) UNCLAS

FOR INFORMATION OF THE BUREAU AND RECEIVING OFFICES, ON 3/15/96, A JURY IN WASHINGTON, D.C., FOUND FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS GUILTY OF BRIBERY AND CONSPIRACY FOR HIS ACCEPTANCE OF PAYMENTS FROM OHIO BUSINESSMAN JOHN P. FITZPATRICK. THE CHARGES ON WHICH LUKENS WAS CONVICTED INVOLVED \$15,000 THAT LUKENS RECEIVED IN MAY, 1990, TO HELP FITZPATRICK WITH PROBLEMS PERTAINING TO FITZPATRICK'S PROPRIETARY SCHOOLS WHICH WERE OPERATING IN OHIO. SENTENCING OF LUKENS WAS SET FOR JUNE 10, 1996, AT 4:15 PM IN FRONT OF U.S. DISTRICT COURT JUDGE GLADYS KESSLER.

IN A RELATED MATTER, JUDGE KESSLER TENTATIVELY SCHEDULED THE RETRIAL OF FITZPATRICK TO BEGIN ON 10/15/96.

QUESTIONS CONCERNING THIS CASE CAN BE DIRECTED TO SSA

[REDACTED] AT TELEPHONE NUMBER (202) 324-6287 OR TO SA

[REDACTED] AT (202) 324-6304 OR DIGITAL PAGER

(202) 519-6351.

BT

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FBI FACSIMILE
COVERSHEET

PRECEDENCE

- ☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION

- ☐ Top Secret
☐ Secret
☐ Confidential
☐ Sensitive
☒ Unclassified

Time Transmitted: AB/1:35 PM

Sender's Initials: _____

Number of Pages: 5 (including cover)
(Including Cover Page)To: FBI - Middletown, OH
(Name of Office)Date: 2/25/96Facsimile Number: (513) 423-9267Ph. #: (513) 423-8030Attn: SA

(Name Room Telephone)

b6
b7cFrom: FBI WMFO
(Name of Office)Subject: DONALD E. "BUZ" LUKENSSpecial Handling Instructions: Please provide ASAP

to SA [redacted]

Originator's Name: [redacted]

Tel. No. (area) 324-6304Originator's Facsimile Number: (202) 202-2020Approved: DB

46A-WF-127870-114

FBI/DOJ

-483

37

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY

Date: 02/25/1996

To: CINCINNATI

Attn: SSA [REDACTED]

SA [REDACTED] MIDDLETOWN
RESIDENT AGENCYb6
b7C

From: WMFO

SQUAD C-9, NVMRA

Contact: SA [REDACTED] X-6304

Approved By: [REDACTED]

Drafted By: [REDACTED]

CWS

File Number(s): 46A-WF-179870 SUB UU (Pending)

Title: BIG BOUNCE;
MAJOR CASE #55;
OO: WMFO

FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS

ARMED AND DANGEROUS

Synopsis: Service of Trial Subpoenas for trial of former U.S. Congressman DONALD E. "BUZ" LUKENS - Trial Date 3/11/96

Administrative: Re WMFO teletypes to Director on 2/15/95 and 2/22/95, WMFO electric communication to Cincinnati, dated 12/12/95, and numerous other communications between the WMFO and Cincinnati Divisions.

Subject JOHN P. FITZPATRICK, who is charged with paying bribes to former congressman LUKENS, is known to keep a handgun on his person and/or in his desk drawer. FITZPATRICK is also considered to be a suspect in the unsolved murder of his business partner, HENRY WHITESELL. Accordingly, FITZPATRICK considered to be Armed and Dangerous.

Details: For the information of the Cincinnati Division, the trial of former U.S. Congressman DONALD E. "BUZ" LUKENS is scheduled to begin on 3/11/96 in Washington, D.C. LUKENS is charged with receiving bribes from Ohio businessman JOHN P. FITZPATRICK. FITZPATRICK was recently tried in Washington, and the jury is currently deliberating that case.

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 4 1996	
FBI - WASHINGTON	

To: CINCINNATI From: WMFO
Re: 46A-WF-179870 SUB UU, 02/25/1996

Several witnesses in Ohio need to be subpoenaed to testify at the trial of LUKENS. To save time, subpoenas for these witnesses are being sent via express mail to the Cincinnati FBI Office and the Middletown Resident Agency. Due to the 3/11/96 date of LUKENS' trial which is quickly approaching, it is requested that these subpoenas be served as soon as possible. The witnesses should be directed to call the telephone number on their subpoena and make arrangements to be in Washington, D.C. on 3/11/96 for the start of the trial. Any questions or problems concerning the following leads should be directed to SA [redacted] [redacted] at telephone number (202) 324-6304 or digital pager number (202) 519-6351.

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To: CINCINNATI From: WMFO
Re: 46A-WF-179870 SUB UU, 02/25/1996

LEAD(s):

Set Lead 1:

CINCINNATI

AT CINCINNATI, OHIO

Will serve trial subpoena (to be provided via express mail) on [redacted] of [redacted] Cincinnati, Ohio, telephone number [redacted]

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Set Lead 2:

AT CINCINNATI, OHIO

Will serve trial subpoena (to be provided via express mail) on [redacted] of [redacted] Cincinnati, Ohio, possible telephone number [redacted] works at [redacted] Oakley, Ohio, telephone number [redacted]

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Set Lead 3:

AT FAIRFIELD, OHIO

Will serve trial subpoena (to be provided via express mail) on [redacted] works at [redacted] Fairfield, Ohio, telephone number [redacted] [redacted] s possible home address and telephone number are [redacted] Cincinnati, Ohio, [redacted]

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Set Lead 4:

AT FRANKLIN, OHIO

Will serve trial subpoena (to be provided via express mail) on [redacted] Franklin, Ohio, telephone number [redacted] works at [redacted] [redacted] telephone number [redacted] pager number is [redacted]

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Set Lead 5:

[redacted]

To: CINCINNATI From: WMFO
Re: 46A-WF-179870 SUB UU, 02/25/1996

AT HAMILTON, OHIO

Will serve trial subpoena (to be provided via express
mail) on [REDACTED]
[REDACTED] Hamilton, Ohio, telephone number [REDACTED]
works at [REDACTED]
[REDACTED] Hamilton, Ohio, telephone number [REDACTED]

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ARMED AND DANGEROUS

CC: 3 - Cincinnati
2 - WMFO

♦♦

C9

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 03/01/1996

To: WMFO

Attn: SA [redacted]
Squad C-9 (NVMRA)

b6
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From: Denver

Squad 10

Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted]:tls

Case ID #: 46A-WF-179870

Title: BIG BOUNCE;
MAJOR CASE #55;
FORMER U. S. CONGRESSMAN
DONALD E. (BUZ) LUKENS

Synopsis: [redacted] located at [redacted] He declined interview; advised Lukens presently staying with him. Lead covered

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Administrative: Reference WMFO teletype 2/27/96 and telephone call with SA [redacted] 2/29/96.

Details: On 2/29/96, Denver located [redacted] at [redacted] [redacted] He stated that his wife had recently died, and that "Buz" Lukens was presently visiting him. [redacted] advised that he has known Lukens since he [redacted] was in high school. He also said that he has given Lukens legal advice for years. [redacted] also mentioned that he has given Lukens specific legal advice concerning his present legal situation. [redacted] declined to be interviewed regarding allegations made by John P. Fitzpatrick. Per conversation with SA [redacted] Denver considers lead covered.

CC: 1 - SA [redacted]

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46A-WF-179870, SUB UU-484
Bry [initials]

66

46A-WF-179870-439

Memorandum



To : ADIC WMFO [redacted] (P)

Date 4/25/96

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From : SA [redacted] (C-9)

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Subject : [redacted]

b7D

Dates of Contact

[redacted]

b7D

File #s on which contacted (Use Titles if File #s not available)

46A-WF-179870, SUB UU

Purpose and results of contact

- ☐ NEGATIVE
☒ POSITIVE
☐ STATISTIC

(See attached insert)

Description of

Statistical Accomplishment

Title of Case

File No.

Information contained herein was obtained confidentially. The informant's name is not to be disclosed in any form unless a conscious decision has been made to disclose his/her identity by an appropriate FBI official.

PERSONAL DATA

1 - [redacted]
 1 - [redacted]

① 46A-WF-179870, SUB UU

Init CWS/cws

(3) - WMFO

see reverse side for statistics

b7D

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/24/96

On 4/22/96, [] was contacted by SA []
[] and provided the following information:

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Investigation on 4/22/96 at Falls Church, Virginia (telephonically)

File # 46A-WF-179870, SUB UU

by SA [] Date dictated 4/24/96

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/8/96

[redacted] was telephonically contacted at her residence, [redacted] Cincinnati, Ohio 45246, telephone number [redacted] works for [redacted] on [redacted] in Cincinnati, Ohio, telephone number [redacted] [redacted] was born on [redacted] in [redacted] Her Social Security Account Number is [redacted] After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] furnished the following information:

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[redacted] advised that she went to school at CAMBRIDGE TECHNICAL INSTITUTE (CTI) on Race Street in Cincinnati, Ohio, around [redacted] While at CTI, [redacted] studied word processing. Her primary instructor at CTI was a man named [redacted] who she considered to be a good teacher. [redacted] recalled that she attended CTI for one quarter and possibly about three weeks into a second quarter. She remembered that she received one report card from CTI and just missed making the honor roll. [redacted] advised that at some point, [redacted] was promoted, and was no longer her instructor. When [redacted] left, [redacted] felt "lost." She then decided to drop out of school.

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[redacted] advised that she was recruited to come to CTI off the street in front of the Justice Center in Cincinnati, Ohio. [redacted] was visiting a friend at the Justice Center. A CTI representative was passing out pamphlets in front of the Justice Center. The CTI representative came up to [redacted] and gave her a pamphlet. The representative indicated to her that, if she enrolled at CTI, she would receive money for books, clothing, and other expenses.

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When [redacted] enrolled at CTI, she had to complete and sign a voluminous amount of paperwork. A woman in the CTI admissions department went through the packet of papers with her. [redacted] stated that she did not really understand the paperwork or what the CTI representative was talking about when she mentioned Pell Grants and Guaranteed Student Loans. [redacted] recalled that she received one type of grant that she did not have to pay back and another that she was obligated to repay. [redacted] informed that she may have saved some of the paperwork related to the financial aid she received from CTI.

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Investigation on 1/22/96 at Washington, D.C.

File # WMFO 46A-WF-179870 SUB UU

by SA [redacted] trs Date dictated 2/20/96

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WMFO 46A-WF-179870 SUB UU

Continuation of FD-302 of [REDACTED], On 1/22/96, Page 2

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While at CTI, [REDACTED] recalled receiving one check for around \$375.00. She thought she cashed the check.

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As stated previously, [REDACTED] did not graduate from CTI and ended up dropping out of school. [REDACTED] cited [REDACTED]s leaving as a factor in her decision to drop out of CTI. She also mentioned that she did not like the day care program at CTI and that she was uncomfortable going to downtown Cincinnati on the bus to attend CTI. [REDACTED] further stated that she did not get a lot of benefit out of going to CTI.

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[REDACTED] stated that, once she dropped out of CTI, she did not return to CTI. [REDACTED] stated that she did not apply for a leave of absence when she left CTI. [REDACTED] had no recollection of doing a leave of absence form for CTI.

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After she dropped out of CTI, [REDACTED] began receiving notices saying she was obligated to repay a student loan to the Great Lakes Higher Education Corporation (GLHEC). She recalled that the loan amount was something like \$2,000 and accruing interest. [REDACTED] advised that she paid \$30.00 per month on the loan for about one and a half to two years. One month, [REDACTED] was unable to pay the entire \$30.00 monthly payment. She got into an argument with the representative of the loan company. At that time, [REDACTED] was aware that CTI was under investigation. [REDACTED] stopped making the \$30.00 monthly loan payments altogether. [REDACTED] commented that she did not receive an education from CTI and she did not feel it was fair to have to pay for something she did not receive.

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[REDACTED] stated that she now has problems with her credit as a result of the unpaid Guaranteed Student Loan (GSL) she received while at CTI. She has not gone back to school, because she knows she would be unable to obtain a student loan. [REDACTED] advised that she has also had income tax refunds that she was due taken by the Internal Revenue Service (IRS).

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[REDACTED] commented that she feels she was "ripped off" by CTI.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3\18\96

[redacted] white male, DOB: [redacted] was telephonically contacted at his residence, [redacted] telephone number [redacted] works at [redacted] in Middletown, Ohio, telephone number [redacted]. After being advised of the identity of the interviewing agent and the nature of the interview, [redacted] provided the following information:

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[redacted] advised that he worked for CAMBRIDGE TECHNICAL INSTITUTE (CTI) from approximately [redacted] worked at CTI's schools in Middletown, Dayton, and Cleveland, Ohio. His title was [redacted] s job responsibilities included ordering books, setting up schedules, assisting the registrars, handling student problems, and other related duties. [redacted] advised that he oversaw the registrar's office, where the student attendance records were supposed to be kept at the particular schools. [redacted] identified his boss as JOHN FITZPATRICK. [redacted] stated that he acted as liaison between FITZPATRICK and the registrars' offices and sometimes the financial aid offices at the various CTI schools.

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[redacted] informed that, for a period of time during his employment with CTI, he was sent by FITZPATRICK on an assignment to CTI's Cleveland, Ohio campus. [redacted] stated that he was sent to Cleveland to figure out the "mess" at CTI's Cleveland school and straighten it out. While at CTI's Cleveland location, he noted serious problems in the court reporting program. [redacted] discovered that, although CTI was already conducting classes, the school had no court reporting equipment for the students to use. Also, CTI had not developed a course of study for the program. [redacted] advised that an investigator for the state of Ohio, possibly the STATE BOARD OF PROPRIETARY SCHOOL REGISTRATION (SBPSR), was looking into the problems at CTI's Cleveland school. [redacted] could not recall the investigator's last name but thought his first name may have been [redacted] stated that he made a suggestion to FITZPATRICK and HENRY WHITESELL, the owner of CTI, that they look into the situation with the court reporting program at the Cleveland school and consider shutting

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Investigation on 2/5/96 at Washington, D.C.

File # 46A-WF-179870 SUB UU

by SA [redacted] :srg Date dictated 2/21/96

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46A-WF-179870 SUB UU

Continuation of FD-302 of _____, On 2/5/96, Page 2

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it down. FITZPATRICK responded to _____'s suggestion by saying, "No way." _____ stated that part of the reason FITZPATRICK did not want to shut down the court reporting program was because CTI would have been required to refund money for students that were enrolled in the program. _____ stated that FITZPATRICK did not want to refund any money.

_____ described the admissions department at CTI's Cleveland school as a "mess". _____ advised that CTI was paying to get a building restored in Cleveland. Money from students at CTI was needed to finance the restoration of the building. _____ stated that, when CTI opened its campus in Cleveland, there was a big push to recruit as many students as possible and get them enrolled in school. _____ stated that CTI was interested in getting "bodies" more than qualified students. The philosophy of recruiting as many "bodies" as possible without regard to the individuals' capabilities as students was promoted by FITZPATRICK. _____ stated that one of FITZPATRICK's favorite phrases was "asses in classes," and _____ heard FITZPATRICK use that phrase on numerous occasions. _____ did not hear WHITESELL use the phrase "asses in classes." _____ advised that FITZPATRICK set up a system whereby CTI recruiters were paid bonuses based on how many people they recruited that enrolled in school. Bonuses were also paid for getting students to return to school. _____ stated that it did not matter if a returning student had previously dropped out of CTI. _____ stated that FITZPATRICK knew everything that went on at CTI, and that "everything started" with FITZPATRICK.

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_____ stated that _____ CTI's Cleveland campus, was "doctoring" student attendance records. _____ advised that the first time he went to CTI's Cleveland location, he asked to review the student attendance records. _____ informed him that the records were at his _____'s house. _____ refused to turn over the attendance records to _____. When _____ finally obtained access to the records, he noticed that all of the entries had been made in pencil. _____ commented that the registrar's office for CTI's Cleveland school should have had possession of the student attendance records.

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_____ stated that _____ the corporate registrar for CTI, was constantly "butting heads" with FITZPATRICK and the admissions office for CTI's Cleveland campus. _____ advised that students were constantly dropping out of CTI's Cleveland school, and _____ questioned whether the admissions department was concerned about the caliber of students that were being recruited and enrolled into CTI. _____ was

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46A-WF-179870 SUB UU

Continuation of FD-302 of _____, On 2/5/96, Page 3

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always telling FITZPATRICK that CTI had to get students who had the motivation and ability to stay in school, rather than the types of individuals who were being regularly recruited by CTI.

_____ recalled that _____ was directed by FITZPATRICK to change records pertaining to students at CTI. _____ commuted with _____ to CTI's Cleveland location, so he often had the opportunity to talk with her. _____ remembered _____ telling him that FITZPATRICK had instructed her to make alterations to CTI's student attendance books to show students in attendance for whom CTI's registrars had no record of the students being in classes. _____ suspected that the students for whom FITZPATRICK wanted her to show attendance had never attended CTI. _____ felt FITZPATRICK wanted her to change CTI's records to show attendance for these students so CTI would not have to refund monies collected on the students. _____ was upset and expressed disbelief that FITZPATRICK would make her alter student attendance records to reflect students attending CTI that she believed had never attended classes at CTI. _____ recalled that FITZPATRICK directed _____ to make changes and alterations to CTI's records on more than one occasion.

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_____ stated that he was present on an occasion when FITZPATRICK directed that records be amended to reflect attendance for students so that CTI could avoid having to refund money. _____ thought the occurrence took place close to one of the times _____ had complained to him about FITZPATRICK having her alter records. _____ recalled that he, _____ were going through student sign-in sheets for CTI's Cleveland school and comparing them with other attendance records. _____ discovered records showing attendance for students that were not in class according to the sign-in sheets and other supporting documentation. When they reported the discrepancies to FITZPATRICK, he told them to "straighten it up." _____ interpreted FITZPATRICK's instruction to mean that they should do what needed to be done to make the records match to show the particular students in attendance at CTI, so CTI would not have to refund monies collected on the students.

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_____ advised that he started "butting heads" with FITZPATRICK over issues related to CTI. When _____ observed the numerous problems at CTI's Cleveland campus, he suggested that CTI cease recruiting and admitting new students until the problems were corrected. _____ stated that FITZPATRICK laughed at his suggestion.

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46A-WF-179870 SUB UU

Continuation of FD-302 of [REDACTED], On 2/5/96, Page 4

b6
b7C

[REDACTED] advised that the state of Ohio, possibly the SBPSR, questioned why CTI did not have the proper equipment or course of study for its court reporting program. The state of Ohio wanted to shut down the court reporting program at CTI. When FITZPATRICK was told of the state's objections to CTI's program, he said to "brush it under the rug." FITZPATRICK asserted that he would take care of the situation by contacting the boss of the investigator for the state of Ohio. FITZPATRICK claimed that he had a connection with the person who had the second highest authority position with the state board. [REDACTED] stated that he did not hear from the state of Ohio again.

[REDACTED] recalled CTI getting calls from the office of U.S. Senator HOWARD METZENBAUM inquiring about student problems at CTI. FITZPATRICK told [REDACTED] that they would just have to give more money to METZENBAUM's campaign, and that such a donation would solve any problems they were having with METZENBAUM's office. [REDACTED] remembered FITZPATRICK telling him that, "The more money you give these people (politicians), the more likely they'll stay off your back." [REDACTED] thought FITZPATRICK had a meeting with METZENBAUM or representatives from his office.

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[REDACTED] remembered FITZPATRICK talking about U.S. Congressman DONALD E. "BUZ" LUKENS but was not aware of LUKENS doing anything for CTI.

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[REDACTED] recalled that a lawsuit was filed against CTI by students at CTI's school in Cincinnati, Ohio. FITZPATRICK said that there was no way the parties suing CTI could win the suit. [REDACTED] remembered FITZPATRICK talking with accrediting organizations and other similar entities trying to get help with the lawsuit against CTI.

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[REDACTED] advised that he was fired by FITZPATRICK. FITZPATRICK cited "philosophical differences" between [REDACTED] and himself. [REDACTED] explained that he wanted to slow the growth of CTI's schools and get the problems, such as the aforementioned lawsuit, under control. FITZPATRICK wanted CTI to expand more. [REDACTED] stated that FITZPATRICK realized that more students meant more money, and that was his motivation for increased growth by CTI.

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[REDACTED] was questioned about FITZPATRICK's moral character. [REDACTED] rated FITZPATRICK's moral character "about a two on a scale of one to ten." [REDACTED] stated that FITZPATRICK did not care at all about the students at CTI. He only cared

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46A-WF-179870 SUB UU

Continuation of FD-302 of [REDACTED], On 2/5/96, Page 5

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b7C

about the money the students could bring in. [REDACTED] stated that FITZPATRICK talked disrespectfully about CTI's students and referred to them as "a bunch of niggers."

[REDACTED] commented that FITZPATRICK's greed was "unbelievable." For each student enrolled at CTI, FITZPATRICK had figured out how much money CTI could collect on that individual. FITZPATRICK would say things like, "If we have 500 students, we will have this much money." [REDACTED] stated that FITZPATRICK was driven by money. [REDACTED] reiterated that it was FITZPATRICK's idea to set up a program whereby bonuses were paid to CTI employees based on numbers of students recruited and enrolled into CTI.

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[REDACTED] stated that he had heard FITZPATRICK use the term "whacks" at CTI's Cleveland office. [REDACTED] did not understand what the term "whacks" meant.

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[REDACTED] advised that the placement rates for CTI students being able to get jobs were "terrible." [REDACTED] commented that CTI's schools in Middletown and Dayton, Ohio, were the only ones that were "anywhere close to being run right."

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[REDACTED] stated that FITZPATRICK was not an honest person. [REDACTED] recalled hearing FITZPATRICK lie during telephone calls he was having with WHITESELL and [REDACTED] FITZPATRICK would lie about problems at CTI and tell them that the problems had been straightened out when that was not the case. [REDACTED] advised that FITZPATRICK kept WHITESELL away from CTI's Cleveland campus, so WHITESELL would not know what was going on at that location. [REDACTED] stated that FITZPATRICK was "sneaky," and that he used that quality to turn people at CTI against [REDACTED] to get him out of the CTI organization. [REDACTED] informed that FITZPATRICK wanted to bug [REDACTED] phones. [REDACTED] commented that, "If you bucked FITZPATRICK or caught him on anything, you were fired."

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[REDACTED] described WHITESELL's death as "real suspicious." While he had no proof that FITZPATRICK had anything to do with WHITESELL's murder, [REDACTED] commented that he "wouldn't put much past JOHN FITZPATRICK." [REDACTED] termed statements made by FITZPATRICK after WHITESELL's death as inaccurate with regard to the problems at CTI.

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46A-WF-179870 SUB UU

Continuation of FD-302 of [REDACTED], On 2/5/96, Page 6

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[REDACTED] recalled that [REDACTED] was FITZPATRICK's girlfriend and that she hailed from the Kent, Ohio, area. [REDACTED] described [REDACTED] as a "kept woman." [REDACTED] stated that he was not aware of [REDACTED] doing anything besides being FITZPATRICK's girlfriend.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/20/96

[redacted] was telephonically contacted at his residence, [redacted] telephone number [redacted] is employed with [redacted] telephone number [redacted] facsimile number [redacted]. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

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[redacted] informed that he was born on [redacted] His Social Security Account Number is [redacted] is a [redacted]

[redacted] advised that, in [redacted]s, he was the [redacted] for SOUTHWESTERN COLLEGE OF BUSINESS (SCB). He started as a student taking accounting classes at SCB. [redacted] was hired to work for SCB by [redacted] believed he began his employment with SCB around September or October, [redacted] advised that his work took him to all five of SCB's campuses.

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[redacted] identified [redacted] as the owner of SCB. [redacted] apparently bought SCB in 1978 for \$10,000. [redacted] commented that [redacted] had become a millionaire through his operation of SCB.

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While employed at SCB, [redacted] observed numerous practices that were illegal or at least improper. [redacted] stated that [redacted] was responsible for promoting the improprieties at SCB. [redacted] advised that [redacted] was interested in getting as many students enrolled in SCB as possible and did not care about the academic capabilities of the individuals that were recruited. The more students enrolled, the more money SCB made. [redacted] targeted low income individuals, since these people easily qualified for government financial aid. [redacted] told the SCB recruiters to do whatever it took to get students "in the door" at SCB. [redacted] recalled that prospective students were told they would receive around \$200 if they signed up to attend SCB, and that they were offered \$25 to come to orientation. Getting the students signed up for financial aid was of critical

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Investigation on 2/8/96 at Washington, D.C. (telephonically)

File # 46A-WF-179870 SUB UU

by SA [redacted] :gna Date dictated 2/26/96

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46A-WF-179870 SUB UU

Continuation of FD-302 of [REDACTED]

, On 2/8/96, Page 2

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importance. [REDACTED] commented that, once the students had signed the financial aid papers, [REDACTED] did not really care whether the students actually attended classes at SCB.

[REDACTED] stated that SCB's policy for refunding financial aid funds was illegal. The policy was directed by [REDACTED] advised that, if an SCB student showed up for orientation but never came back, SCB kept 25 percent of the financial aid money collected on the student. If a student came to one day of classes and never returned, SCB kept 50 percent of the student's financial aid money. If a student stayed for one week of classes and came for one day into the following week, SCB kept 100 percent of the financial aid money. [REDACTED] represented that the foregoing procedures had been approved by officials administering the Pell Grant, Ohio Instructional Grant, and other financial aid programs. [REDACTED] had occasion to talk with regulators for the financial aid programs and was informed that [REDACTED]'s refund procedures were not proper and had not been approved by the proper authorities.

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[REDACTED] advised that, because of the large number of students at SCB, he would often do preliminary paperwork to obtain financial aid for students who were not yet attending classes at SCB. [REDACTED] stated that a lot of these students would never show up for school at SCB. [REDACTED] would go ahead and negotiate the students' financial aid checks anyway and would not refund the money when it became clear that the students were not going to attend classes at SCB. [REDACTED] indicated that [REDACTED] had SCB take financial aid funds for a lot of students that did not even show up for orientation.

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[REDACTED] informed that from, time to time, SCB would be audited by regulatory officials. The auditors would give [REDACTED] notice as to when they would be coming. Prior to the audits, [REDACTED] would have the bookkeepers at SCB go through the books and records to match financial aid draws with SCB students. In many cases, the records would show that financial aid funds had been drawn on students that were not in class at SCB. [REDACTED] directed the people working on the records to create new records to show attendance for periods that the students were not actually in school. The creation of these false records was necessary to justify the financial aid monies collected by SCB and to avoid having to make refunds of the funds. [REDACTED] recalled [REDACTED] telling them to "do whatever it would take to pass the audit." [REDACTED] informed that [REDACTED] helped with the creation of the false records at SCB. He stated that [REDACTED] was [REDACTED]'s lover for awhile.

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46A-WF-179870 SUB UU

Continuation of FD-302 of [REDACTED]

, On 2/8/96, Page 3

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b7c

[REDACTED] recalled that JOHN FITZPATRICK was the Director of Education for SCB's school in Middletown, Ohio. [REDACTED] commented that FITZPATRICK was "trained real well by [REDACTED] recalled that FITZPATRICK started out as a recruiter for SCB. [REDACTED] told FITZPATRICK to concentrate his recruiting efforts on people that were on welfare or had low income levels. [REDACTED] knew that these types of individuals would "instantly" qualify for the full amount of financial aid that could be obtained by SCB. [REDACTED] stated that [REDACTED] trained FITZPATRICK to make payments to prospective students to entice them to enroll at SCB and to "do whatever it takes" to recruit as many students as possible. [REDACTED] mentioned that HENRY WHITESELL started as a recruiter with SCB and ended up in charge of SCB's campus in Hamilton, Ohio.

[REDACTED] stated that, when [REDACTED] made FITZPATRICK the Director of Education at SCB's Middletown campus, he taught him all the tricks of creating false attendance records. [REDACTED] advised that, [REDACTED] he went to all of the SCB campuses and reviewed the schools' accounting records and student attendance records. He stated that the schools' account ledgers were supposed to match up with the student attendance records. [REDACTED] observed numerous instances where the various records were not in agreement. For example, [REDACTED] cited instances where students would not even show up to fill out orientation papers at SCB. However, SCB's attendance records would reflect the students going to SCB for three weeks. [REDACTED] remembered FITZPATRICK calling on several occasions representing that particular students had attended SCB for requisite periods of time when other information suggested the contrary.

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[REDACTED] recalled FITZPATRICK bringing him student attendance cards which showed students attending SCB during periods when they were not there. [REDACTED] stated that he knew the attendance cards provided to him by FITZPATRICK were not accurate. [REDACTED] advised that, from living in Hamilton, Ohio, he personally knew of some of the students who were listed on SCB's records as having attended school. [REDACTED] knew some of the students did not actually attend SCB for the period of time shown on the attendance cards provided by FITZPATRICK. [REDACTED] commented that he "knew who was there and who was not."

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[REDACTED] commented that FITZPATRICK was part of SCB's efforts to make its student attendance records match the draws of financial aid monies on particular students.

46A-WF-179870 SUB UU

Continuation of FD-302 of _____, On 2/8/96, Page 4

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_____ remembered a regulatory organization conducting a major audit of the books and records of SCB. _____ recalled that this audit was the last audit before he left his employment at SCB. _____ advised that _____ knew the audit would be trouble for him, because the books and records of SCB were in such bad shape. Around two to three weeks prior to the audit, _____ had several SCB employees get together at one of SCB's campuses to work on the books and records. Included in the effort were SCB's bookkeepers and the directors of education for CTI's various schools. The purpose of the sessions was to make the SCB records match with the draws of financial aid funds taken by SCB. _____ recalled that the books and records for three of SCB's campuses, including Middletown, were so bad that a complete new set of books had to be created. The new records included student attendance records. _____ stated that most of the new records that were created were false to justify the retention of financial aid monies that should not have been kept by SCB. _____ recalled that the bookkeepers would give lists to the SCB directors of education of students who never showed up for class or went for only one day. The directors of education would claim the students attended for requisite periods of time and instruct that attendance records be made to match the draws of financial aid funds for the students. _____ stated that FITZPATRICK participated in the aforementioned effort to create false records to deceive the auditors who would be examining SCB.

_____ recalled several occasions when he travelled to SCB's Middletown school with lists of students which he provided to FITZPATRICK. When FITZPATRICK gave him back the lists, they contained false attendance for students whose names were listed.

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_____ advised that _____ was _____ at SCB's Middletown campus. _____ often fought with FITZPATRICK about issues related to student attendance. _____ would tell FITZPATRICK that a particular student had not attended enough days to permit SCB to collect a certain level of financial aid funds on the student. FITZPATRICK would tell _____ that they were going to draw the money anyway, despite the student's lack of attendance. _____ informed that _____ can be reached in Cincinnati, Ohio, at telephone number _____.

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_____ advised that FITZPATRICK received his orders from _____ FITZPATRICK gave orders to the personnel at SCB's Middletown school, including the registrar, financial aid

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46A-WF-179870 SUB UU

Continuation of FD-302 of [REDACTED], On 2/8/96, Page 5

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[REDACTED] officer, bookkeepers, and others. [REDACTED] identified [REDACTED] as [REDACTED] at SCB's Middletown campus.

[REDACTED] informed that, in 1982, officials from Washington, D.C. (possibly the U.S. DEPARTMENT OF EDUCATION), and the Ohio Department of Education came to SCB to conduct an audit. The regulators discovered problems including records that did not properly match up. The regulators questioned [REDACTED]. [REDACTED] recalled that they were particularly interested in SCB's procedure for returning financial aid money for students who had dropped out of school. Shortly after [REDACTED] talked to the regulators, he was contacted by the FEDERAL BUREAU OF INVESTIGATION (FBI). [REDACTED] talked to the FBI about the situation at SCB. [REDACTED] recalled giving some type of statement against [REDACTED].

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[REDACTED] stated that he was fired by [REDACTED] in January, 1983, after [REDACTED] found out that he had talked to the FBI. [REDACTED] advised that [REDACTED] terminated all SCB employees who talked to the FBI. [REDACTED] thought [REDACTED] may have had to pay back some money to the government as the result of problems discovered at SCB by the regulators. [REDACTED] believes [REDACTED] is still defrauding the government out of financial aid funds through his operation of SCB.

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[REDACTED] felt that, if the appropriate records were available, he could reconstruct the "paper trail" showing the financial aid fraud perpetrated at SCB. [REDACTED] advised that he is still friends with a number of people who worked at SCB.

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[REDACTED] informed that [REDACTED] worked at SCB's HAMILTON campus and could possibly provide helpful information concerning SCB.

46A-WF-179870, SUB UU
CWS/cws

On 5/6/96, [REDACTED] was telephonically contacted
and provided the following information to SA [REDACTED]
[REDACTED]

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b7D

The Cooperating Witness (CW) advised that [REDACTED]

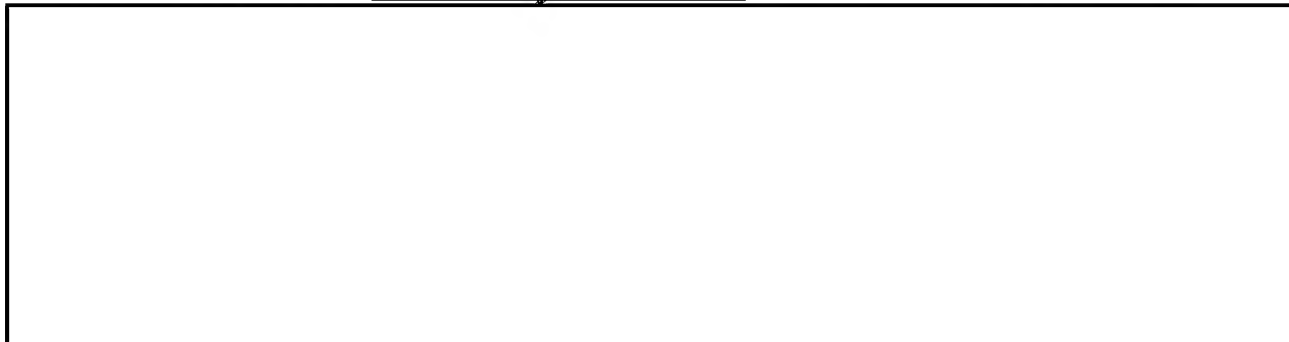
[REDACTED]

46A-WF-179870 SUB UU
RFK:rfk

1

On 4/11/96, [REDACTED] provided the following
information to SA [REDACTED]

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b7D



- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/19/96

[redacted] was telephonically contacted at his law firm, [redacted] telephone number [redacted] resides at [redacted] telephone number [redacted] was born on [redacted] in [redacted]. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] furnished the following information:

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[redacted] advised that he was employed [redacted] at SOUTHWESTERN COLLEGE OF BUSINESS (SCB) for one quarter around the [redacted] at SCB's school in West Carrollton, Ohio. [redacted] since he left SCB to attend law school and graduated from law school in 1984. [redacted] informed that he worked as an [redacted] at the same time he was [redacted] at SCB.

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b7C

While he was employed with SCB, [redacted] had a conversation with [redacted] about possible inapproprieties at SCB. [redacted] and [redacted] operated [redacted] [redacted] was concerned about guaranteed student loans that FNB was financing for students at SCB. [redacted] indicated that SCB was collecting financial aid money for students to go to school at SCB. On some occasions, the students would not show up for classes at SCB. [redacted] was concerned that SCB was keeping money collected for students that were not in school, rather than refunding the money as required. [redacted] asked [redacted] if he would be interested in talking to the Federal Bureau of Investigation (FBI) about the situation at SCB. [redacted] agreed and ultimately talked with Special Agent (SA) [redacted] of the FBI.

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[redacted] related some of the problems he observed while at SCB. [redacted] advised that SCB employees regularly changed grades and attendance records to keep students in school, so SCB could draw financial aid money on those students. [redacted] stated that he remembered turning in grade/attendance cards for his classes at SCB. [redacted] later checked some of the records and discovered that changes had been made to the grades and attendance of his

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Investigation on 1/11/96 at Washington, D.C. (telephonically)

File # 46A-WF-179870 Sub UU

by SA [redacted]:trs Date dictated 2/22/96

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b7C

46A-WF-179870 Sub UU

Continuation of FD-302 of [REDACTED], On 1/11/96, Page 2

b6
b7C

students. In some cases, grades that he had given of "F" were changed to passing grades. [REDACTED] stated that he was able to verify that the grades and attendance records were changed, because he made copies of the records before he turned them in. [REDACTED] was not aware of what individuals at SCB were responsible for changing the grades and attendance records, but he suspected that the owner of SCB was encouraging the actions by the employees.

[REDACTED] advised that he was aware of some students who would miss extensive numbers of classes and tests. The students had to attend a requisite number of classes and maintain a minimum grade point average to be eligible to continue collecting financial aid. [REDACTED] stated that grade and attendance records were fabricated to keep the students eligible for financial aid. [REDACTED] commented that money was the motivation for the changing of records, and that SCB regularly kept money that it was not entitled to. [REDACTED] believed that SCB students received a cut of the financial aid money to entice them to come to SCB.

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[REDACTED] stated that, while he was working at SCB, he made copies of records and provided them to the FBI. [REDACTED] recalled that the FBI directed him to make copies of grade/attendance cards for some students. [REDACTED] stated that the records he copied confirmed the FBI's suspicions that grades and attendance for SCB students were being changed.

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[REDACTED] advised that a woman possibly named [REDACTED] was [REDACTED] of SCB. She was concerned about the students at SCB and problems at SCB. [REDACTED] informed that [REDACTED] at SCB.

b6
b7C

[REDACTED] did not like the "environment" at SCB. [REDACTED] can be reached at telephone number [REDACTED]. [REDACTED] advised that an individual named (first name unknown) [REDACTED] SCB with [REDACTED] did not recognize the name JOHN FITZPATRICK or remember him being at SCB.

07/03/96

***** CONVICTION *****
SENSITIVE / UNCLASSIFIED

Case Number: 46A-WF-179870-UU
Serial No.:

Stat Agent Name:
Stat Agent SOC.:

Report Date: 07/03/1996
Accom Date.: 06/19/1996

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Does Accomplishment Involve	Assisting Joint Agencies	Assisting Agents SOC	Subject Name
Drugs : N			LUKENS, DONALD, E
A Fugitive. : N			
Bankruptcy Fraud. : N			
Computer Fraud/Abuse. : N			RA Squad Task Force
Corruption of Public Officials: Y			-----
Forfeiture Assets : N			CRIM C9

Sub. Invest. Asst by Other FOs: CI

Investigative Assistance or Technique Used

FINAN ANALYST	LAB DIV EXAMS	UCO-GROUP I	
AIRCRAFT ASST	LAB FIELD SUP	UCO-GROUP II	1 = Used, but did not help
COMPUTER ASST	PEN REGISTERS	UCO-OTHER	2 = Helped, Minimally
CONSEN MONITR	PHOTO COVERGE	NCAVC/VI-CAP	3 = Helped, Substantially
ELSUR/FISC	POLYGRAPH	VISUAL INVEST	4 = Absolutely Essential
ELSUR/III	SRCH WAR EXEC	CRIS NEG-FED	
ENG FIELD SUP	SHOW MONEY	CRIS NEG-LOC	
ENG TAPE EXAM	SOG ASST	ERT ASST	
HYPNOSIS ASST	SWAT TEAM	BUTTE-ITC	
EVIDNCE PURCH	TECH AG/EQUIP	SAVANNAH-ITC	
INFORMANT/CW	TEL TOLL RECS		

b7E

Date of Conviction (MM/DD/YYYY) : 03/15/1996
Date of Sentencing (MM/DD/YYYY) : 06/19/1996
Subject Description Code. :

b7E

Federal or Local (F/L) : F
Felony or Misdemeanor (F/M) : F

Plea or Trial (P/T) : T
Judicial State. : DC
Judicial District : DC
Type of Sentence . . . : JS PB

U.S. Code Violation

	Year	Month	Title	Section	Counts
Time in Jail. .:	2	6			
Time Suspended.:			18	201	1
Probation Time.:	3		18	371	1
Total Fines. . :\$		100			

Accomplishment Narrative

46A-WF-179870-UU-500
SEARCHED INDEXED
SERIALIZED FILED

SENSITIVE / UNCLASSIFIED

Squad Supervisor
approval (please initial)

Accomplishment Report

(Accomplishment must be reported and loaded into ISMA
within 30 days from date of accomplishment)

Date Prepared 7/3/96

Date Loaded _____

Data Loader's initials _____

Does Accomplishment Involve:
(check all that apply)

- Drugs ☐
A Fugitive ☐
Bankruptcy Fraud ☐
Computer Fraud/Abuse ☐
Corruption of Public Officials ☒
Forfeiture Assets ☐
Sub Invest Asst by FO (s) ☐

Assist. FO(s) CF
A, B, C, D, E

Assisting Agents Soc. Sec. No. X

1. _____

Name _____

2. _____

Name: _____

File Number

46A-WF-179870, SUBU

Stat Agent Soc. Sec. No. _____

Stat Agent Name _____

RA _____ Squad _____

NVMRA C-9

Task Force _____

Assisting Joint Agencies X

1. _____

2. _____

Investigative Assistance or Technique Used

1 - Used, but did not help

2 - Helped, minimally

3 - Helped, substantially

4 - Absolutely essential

For Sub. Invest. Assist. by other FO (s) indicate A,B,C,D,E for corresponding FO

Rate	FO(s)	IAT	Rate	FO(s)	IAT	Rate	FO(s)	IAT
	Financ. Analyst			Lab. Div. Exams			UCO - Group I	
	Aircraft Asst.			Lab. Div. Field Sup.			UCO - Group II	
	Computer Asst.			Pen Registers			UCO - Other	
	Consensual Mon.			Photo Coverage			NCACV / VI - CAP	
	ELSUR / FISC			Polygraph Asst.			Visual Invest. Anal.	
	ELSUR / Title III			Search Warrants			Crisis Neg. - Fed.	
	Eng. Sect. Field Supt.			Show Money Usage			Crisis Neg. - Local	
	Eng. Sect. Tap Exams			SOG Asst.			ERT Assistance	
	Hypnosis Asst.			Swat Team Action			Butte-ITC	
	Evidence Purchase			Tech. Agnt. or Equip.			Savannah-ITC	
	Informant / CW Info.			Telephone Toll Recs.				

b7E

A. Complaint / Information / Indictment

Also Complete Section H

Complaint Date _____

Check if Civil Rico Complaint ☐

Information Date _____

Indictment Date _____

B. Arrest / Locate / Summons

Arrest Date _____

☐ Federal ☐ Local ☒Subject Priority: ☐ A ☐ B ☐ C☐ Subject Resisted☐ Subject was armed

Locate Date _____

Subject Priority: ☐ A ☐ B ☐ C

Summons Date _____

☐ Federal ☐ Local ☒

C. Hostage(s) Released Date _____

Released by: ☐ Terrorist ☐ Other

Number of Hostages: _____

Child Located Date _____

D. Recovery / Restitution / PELP X

Recovery Date _____

☐ Federal ☐ Local

Code • Amount

	\$
	\$

Restitution Date _____

☐ Court Ordered☐ Pretrial Diversion

Code • Amount

	\$
--	----

PELP Date _____

Code • Amount

	\$
--	----

E. Civil Rico Matters Date _____

Also Complete Section H

or

Other Civil Matters Date _____

Judgment _____

Judicial Outcome _____ X

Amount: \$ _____

Suspension:

Years	Months

F. Administrative Sanctions Date _____

Type:

Length:

☐ Suspension☐ Permanent☐ Debarment

Years	Months

☐ Injunction

Subject Description Code _____

G. Final Judicial Process Conviction

Also Complete Section H

Date of Conviction: 3/15/96Date of Sentence: 6/19/96

Subject Description Code _____

Judicial State: DC District: _____Sentence type: JS, PB

Sentence Term: _____

In-Jail		Suspended		Probation	
Years	Months	Years	Months	Years	Months
2	6			3	0

Fines: \$ 100.00☒ Federal☐ Local ☒☒ Felony☐ Misdemeanor☐ Plea☒ Trial

H. U.S. Code Violations

Title	Section	Counts	Title	Section	Counts
<u>18</u>	<u>201</u>	<u>1</u>			
<u>18</u>	<u>371</u>	<u>1</u>			

Required for Sections A, E, and G (Conviction)

Optional for Section B (arrest)

Acquittal / Dismissal / Pretrial Diversion

Acquittal Date _____

Dismissal Date _____

Pretrial Diversion Date _____

I. Subject Information (Required for Sections A, B, D (Restitution), E, F, and G)

Name	Date of Birth	Race •	Sex	Place of Birth (if available)	Social Security No. (if available)
<u>DONALD EDGAR LUKENS</u>	<u>2/11/31</u>	<u>W</u>	<u>M</u>		<u>286-28-8739</u>

☐ Subject Related to an LCN, Asian Organized Crime (AOC), or Italian Organized Crime (IOC) Group. (Submit form FD-515a for indictments and convictions only)

X Additional information may be added by attaching another form or a plain sheet of paper for additional entries.

♦ Requires that a written explanation on plain paper be attached. (Court Ordered Restitution does not require a written explanation)

• See codes on reverse side.

Serial No. of FD-515 _____

PROPERTY CODES

01 Cash
02 Stocks, Bonds or Negot. Instruments
03 General Retail Merchandise
04 Vehicles
05 Heavy Machinery & Equipment
06 Aircraft
07 Jewelry
08 Vessels
09 Art, Antiques or Rare Collections
11 Real Property
20 All Other

SENTENCE TYPES

CP Capital Punishment
JS Jail Sentence
LS Life Sentence
NS No Sentence (Subject is a Fugitive, Insane, has Died, or is a Corporation)
PB Probation
SJ Suspension of Jail Sentence
YC Youth Correction Act

PELP CODES

22 Counterfeit
Stocks/Bonds/Currency/
Negotiable Instruments
23 Counterfeit/Pirated Sound
Recordings or Motion Pictures
24 Bank Theft Scheme Aborted
25 Ransom, Extortion or Bribe
Demand Aborted
26 Theft From or Fraud Against
Government Scheme Aborted
27 Commercial or Industrial
Theft Scheme Aborted
30 All Other

RACE CODES

A Asian/Pacific Islander
B Black
I Indian/American
U Unknown
W White
X Nonindividual

JOINT AGENCY CODES

ACIS Army Criminal Investigative Service
BATF Bureau of Alcohol, Tobacco & Firearms
BIA Bureau of Indian Affairs
DCAA Defense Contract Audit Agency
DCIS Defense Criminal Investigative Service
DEA Drug Enforcement Administration
DOC Department of Corrections
DOI Dept. of Interior
EPA Environmental Protection Agency
FAA Federal Aviation Administration
FDA Food and Drug Administration
HHS Dept. of Health & Human Services
HUD Dept. of Housing & Urban Development
INS Immigration and Naturalization Service
IRS Internal Revenue Service
NASA Nat'l Aeronautics & Space Admin
NBIS Nat'l NARC Border Interdiction
NCIS Naval Criminal Investigative Service
RCMP Royal Canadian Mounted Police
SBA Small Business Administration
USBP U.S. Border Patrol
USCS U.S. Customs Service
USDS U.S. Department of State
USPS U.S. Postal Service
USSS U.S. Secret Service
USTR U.S. Treasury
LOC Local
CITY City
COUN County
ST State
OTHR Other

JUDGMENT CODES

CJ Consent Judgment
CO Court Ordered Settlement
DF Default Judgment
DI Dismissal
JN Judgment Notwithstanding
MV Mixed Verdict
SJ Summary Judgment
VD Verdict for Defendant
VP Verdict for Plaintiff

JUDICIAL OUTCOME

AG Agreement
BR Barred/Removed
CC Civil Contempt
DC Disciplinary Charges
FI Fine
PI Preliminary Injunction
PR Temporary Restraining Order
PS Pre-filing Settlement
RN Restitution
SP Suspension
VR Voluntary Resignation
OT Other

SUBJECT PRIORITY

A Subject wanted for crimes of violence (i.e., murder, manslaughter, forcible rape) against another individual or convicted of such a crime in the past five years
B Subject wanted for crimes involving loss or destruction of property valued in excess of \$25,000 or convicted of such a crime in the past five years.
C All other subjects.

SUBJECT DESCRIPTION CODES

ORGANIZED CRIME SUBJECTS

1F Boss
1G Underboss
1H Consigliere
1J Acting Boss
1K Capodecina
1L Soldier

KNOWN CRIMINALS

2A Top Ten or I.O. Fugitive
2B Top Thief
2C Top Con Man

FOREIGN NATIONALS

3A Legal Alien
3B Illegal Alien
3C Foreign Official W/out
Diplomatic Immunity
3D U.N. Employee W/out
Diplomatic Immunity
3E Foreign Student
3F All Others

OTHERS

8A All Other Subjects
8B Company or Corporation

TERRORISTS

4A Known Member of a
Terrorist Organization
4B Possible Terrorist Member
or Sympathizer

UNION MEMBERS

5D President
5E Vice-President
5F Treasurer
5G Secretary/Treasurer
5H Executive Board Member
5I Business Agent
5J Representative
5K Organizer
5L Business Manager
5M Financial Secretary
5N Recording Secretary
5P Office Manager
5Q Clerk
5R Shop Steward
5S Member
5T Trustee
5U Other

GOVERNMENT SUBJECTS

6A Presidential Appointee
6B U.S. Senator/Staff
6C U.S. Representative/Staff
6D Federal Judge/Magistrate
6E Federal Prosecutor
6F Federal Law Enforcement Officer
6G Federal Employee - GS 13 & Above
6H Federal Employee - GS 12 & Below
6J Governor
6K Lt. Governor
6L State Legislator
6M State Judge/Magistrate
6N State Prosecutor
6P State Law Enforcement Officer
6Q State - All Others
6R Mayor
6S Local Legislator
6T Local Judge/Magistrate
6U Local Prosecutor
6V Local Law Enforcement Officer
6W Local - All Others
6X County Commissioner
6Y City Councilman

BANK EMPLOYEES

7A Bank Officer
7B Bank Employee

FBI

TRANSMIT VIA:

☒ Teletype
☐ Facsimile
☐ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date 6/20/96

FM FBI WMFO (46A-WF-179870 SUB UU) (P)

TO DIRECTOR FBI/ROUTINE/

FBI CINCINNATI/ROUTINE/

FBI CLEVELAND/ROUTINE/

FBI DALLAS/ROUTINE/

BT

UNCLAS

CITE: //3920//

PASS: ATTN: SSA [REDACTED] PCU.

b6
b7C

SUBJECT: BIG BOUNCE; MAJOR CASE #55; OO:WMFO. FORMER U.S.

CONGRESSMAN DONALD E. "BUZ" LUKENS.

RE 6/19/96 TELCALL BETWEEN [REDACTED] UNIT CHIEF,
PUBLIC CORRUPTION UNIT, FBIHQ, AND SSA [REDACTED] WMFO,
NVMRA, AND 6/19/96 TELCALL BY SA [REDACTED] WMFO,
NVMRA, TO THE CINCINNATI DIVISION FOR THE ATTENTION OF SA [REDACTED]

b6
b7CApproved: WLC/123 Original filename: 125001W.172Time Received: _____ Telprep filename: 125001SO.172MRI/JULIAN DATE: 1676/172 ISN: 026FOX DATE & TIME OF ACCEPTANCE: 6/20/96 5:18 Kutt

46A-WF-179870-501
SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____

^PAGE 2 WMFO (46A-WF-179870 SUB UU) UNCLAS

FOR INFORMATION OF THE BUREAU, ON 6/19/96, FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS WAS SENTENCED BY U.S. DISTRICT COURT JUDGE GLADYS KESSLER PURSUANT TO HIS CONVICTION ON CHARGES OF BRIBERY AND CONSPIRACY. LUKENS RECEIVED A SENTENCE OF 30 MONTHS IN PRISON AND THREE YEARS OF SUPERVISED RELEASE. NO FINE OR RESTITUTION WAS ORDERED DUE TO LUKENS' INABILITY TO PAY. LUKENS WAS RELEASED PENDING THE APPEAL OF HIS CONVICTIONS. LUKENS WAS CONVICTED ON ONE COUNT OF BRIBERY AND ONE COUNT OF CONSPIRACY DURING A JURY TRIAL IN MARCH, 1996.

THE RETRIAL OF JOHN FITZPATRICK, A CO-CONSPIRATOR OF LUKENS, IS SCHEDULED TO BEGIN ON OCTOBER 15, 1996, IN U.S. DISTRICT COURT IN WASHINGTON, D.C.

ANY QUESTIONS CONCERNING THIS MATTER CAN BE DIRECTED TO SSA [REDACTED] AT TELEPHONE NUMBER (202) 324-6287 OR SA [REDACTED] AT TELEPHONE NUMBER (202) 324-6304 OR DIGITAL PAGER (202) 519-6351.

BT

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b7c

Memorandum



To : ADIC WMFO [redacted]

(P)

Date 7/11/96

b7D

From : SA [redacted]

(C-9)

b6
b7C

Subject : [redacted]

b7D

Dates of Contact

b7D

File #s on which contacted (Use Titles if File #s not available)

46A-WF-179870, SUB UU

Purpose and results of contact

- ☐ NEGATIVE
☒ POSITIVE
☐ STATISTIC

(See attached insert)

Description of

Statistical Accomplishment

Title of Case

File No.

Information contained herein was obtained confidentially. The informant's name is not to be disclosed in any form unless a conscious decision has been made to disclose his/her identity by an appropriate FBI official.

PERSONAL DATA

1 - 46A-WF-179870, SUB UU

1 -

Init. CWS/cws

(2) - WMFO

see reverse side for statistics

46A-WF-179870-502

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 1996	
FBI - WASH. METRO FIELD OFFICE	

b7D

46A-WF-179870, SUB UU
CWS/cws

On 7/11/96, [redacted] was contacted and provided
the following information to SA [redacted]

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b7C
b7D

[Large redacted area]

Saved under

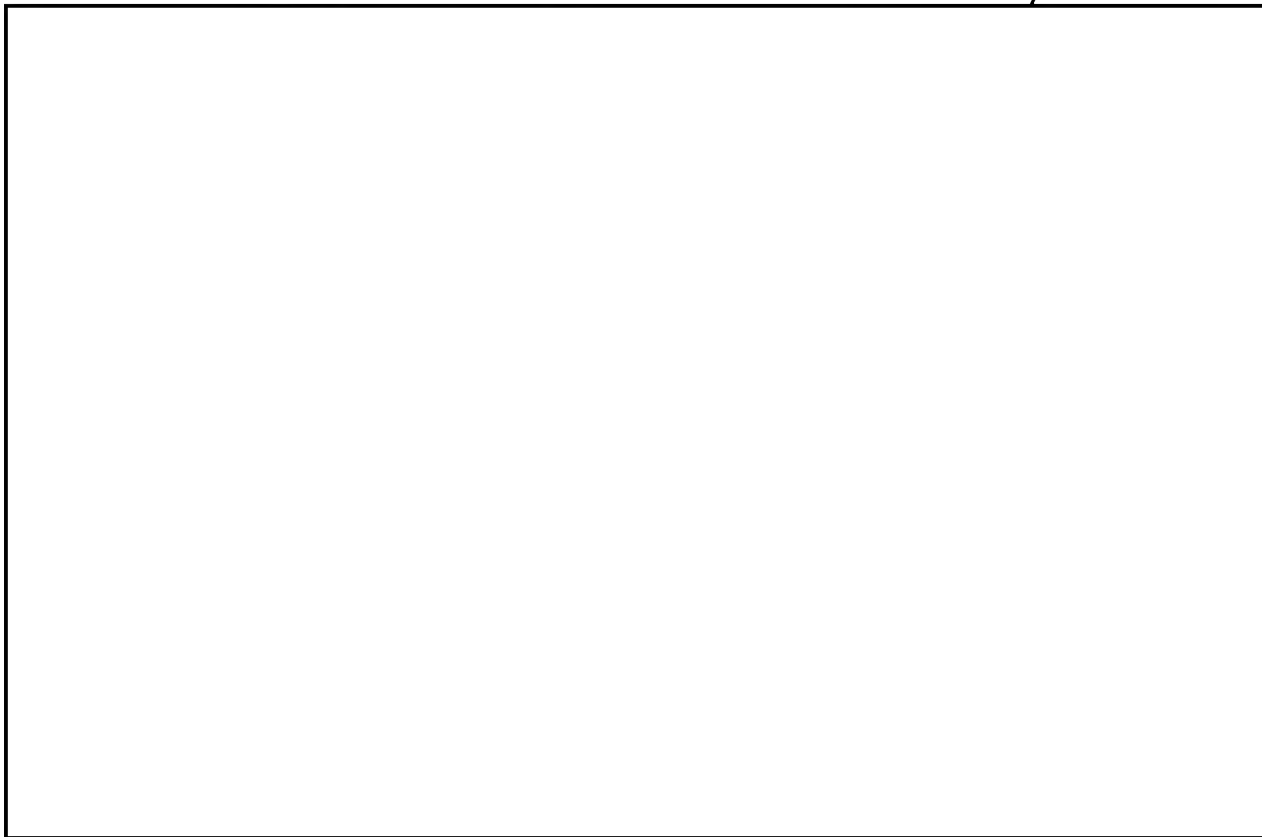
[Redacted box]

b7E

—46A-WF-179870, SUB UU
CWS/cws

On 8/28/96, [redacted] was telephonically contacted
and provided the following information to SA [redacted]
JR:

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b7C
b7D



2/23

46A-WF-179870 UU-
SW 5503

SEP 04 1996

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 09/18/1996

To: CINCINNATI
CLEVELAND
COLUMBIA
LOUISVILLE
MEMPHIS
PHILADELPHIA

Attn: SSA [REDACTED]

b6
b7C

From: WFO

SQUAD C-9, NVRA

Contact: SA [REDACTED] X-6304

Approved By: [REDACTED]

Drafted By: [REDACTED]

CWS

File Number(s): 46A-WF-179870 SUB UU (Pending)

Title: BIG BOUNCE;
MAJOR CASE #55;
OO: WMFO

FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS

ARMED AND DANGEROUS

Synopsis: Service of Trial Subpoenas for trial of JOHN P. FITZPATRICK - Trial Date 10/15/96.

Administrative: Re WMFO teletypes to Director on 2/15/95 and 2/22/95, WMFO Electronic Communications to Cincinnati, dated 12/12/95, 12/21/95, and 2/25/96, WMFO Electronic Communication to Chicago, dated 12/5/96, Louisville Electronic Communication to WMFO, dated 1/5/96, and numerous other communications between the WFO and Cincinnati Divisions.

Subject JOHN P. FITZPATRICK is known to keep a handgun on his person and/or in his desk drawer. FITZPATRICK is also considered to be a suspect in the unsolved murder of his business partner, HENRY WHITESELL. Accordingly, FITZPATRICK is considered to be Armed and Dangerous.

Enclosures: Cincinnati Division - The originals and one copy each of trial subpoenas directed to the following individuals:

[REDACTED]

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46A-WF-179870-504

SEARCHED	INDEXED
SERIALIZED <i>kp</i>	FILED <i>kp</i>
SEP 19 1996	
FBI - CINCINNATI	
DB/40	

ALLA-
DS

To: CINCINNATI From: WFO
Re: 46A-WF-179870 SUB UU, 09/18/1996

Cleveland Division - The original and one copy of a trial subpoena directed to [REDACTED]

b6
b7c

Columbia Division - The original and one copy of a trial subpoena directed to [REDACTED]

Louisville Division - The original and one copy of a trial subpoena directed to [REDACTED]

Memphis Division - The original and one copy of a trial subpoena directed to [REDACTED]

Philadelphia Division - The originals and one copy of each of trial subpoenas directed to [REDACTED]

Details: For information of receiving offices, on 2/22/95, former U.S. Congressman DONALD E. "BUZ" LUKENS and Ohio businessman JOHN P. FITZPATRICK were indicted by a Federal Grand Jury in Washington, D.C., on several criminal charges including bribery and conspiracy. FITZPATRICK was also charged with conspiring to defraud the U.S. DEPARTMENT OF EDUCATION (DOE). LUKENS and FITZPATRICK were arrested following the indictments. LUKENS was subsequently tried and convicted of bribery and conspiracy.

FITZPATRICK also went to trial on the charges against him. FITZPATRICK's trial lasted from January through March, 1996. The case ended in a mistrial when the jury could not reach a verdict. In conversations with jurors following FITZPATRICK's trial, it was learned that eleven of the jurors found FITZPATRICK guilty on all counts while one juror held out in favor of FITZPATRICK. Because of the mistrial, it is necessary to retry FITZPATRICK. The retrial is scheduled to begin on 10/15/96.

Due to FITZPATRICK's rapidly approaching trial date, it is requested that receiving offices serve the enclosed subpoenas as quickly as possible. Any problems encountered in serving the subpoenas should be brought to the attention of WFO. Any questions or problems can be directed to SA [REDACTED] [REDACTED] at telephone number (202) 324-6304 or digital pager (202) 519-6351.

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Additionally, for the information of the Cincinnati Division, it is possible that SA [REDACTED] may be called as a prosecution witness during the FITZPATRICK trial. Authorization should be obtained for SA [REDACTED] to travel to

b6
b7c

To: CINCINNATI From: WFO
Re: 46A-WF-179870 SUB UU, 09/18/1996

Washington, D.C., should he be needed to testify in the trial of
FITZPATRICK.

To: CINCINNATI From: WFO
Re: 46A-WF-179870 SUB UU, 09/18/1996

LEAD(s) :

Set Lead 1:

CINCINNATI

AT CINCINNATI, OHIO

Will serve enclosed trial subpoena on [redacted] of
[redacted] Cincinnati, Ohio, telephone number [redacted]
[redacted] is married to [redacted] who has a work telephone
number of [redacted]

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Set Lead 2:

AT CINCINNATI, OHIO

Will serve enclosed trial subpoena on [redacted]
[redacted], Cincinnati, Ohio. [redacted]
words for [redacted] Cincinnati,
Ohio 45209, telephone number [redacted]

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Set Lead 3:

AT HAMILTON, OHIO

Will serve enclosed trial subpoena on [redacted]
[redacted], Ohio
45013, telephone number [redacted] works for [redacted]
[redacted]
Professional Center, [redacted] Hamilton, Ohio,
telephone number [redacted]

b6
b7C

Set Lead 4:

AT NORWOOD, OHIO

Will serve enclosed trial subpoena on [redacted]
of [redacted] Ohio.

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b7C

To: CINCINNATI From: WFO
Re: 46A-WF-179870 SUB UU, 09/18/1996

Set Lead 5:

AT SPRINGFIELD, OHIO

Will serve enclosed trial subpoena on [redacted]
of [redacted] Ohio, telephone number [redacted]
[redacted] works for [redacted]
[redacted] Springfield, Ohio,
telephone number [redacted] voice mail [redacted]
[redacted]

b6
b7C

Set Lead 6:

CLEVELAND

AT STOW, OHIO

Will serve enclosed trial subpoena on [redacted]
[redacted] Stow, Ohio, telephone number [redacted]
[redacted] works for [redacted]
[redacted] Stow, Ohio, telephone number [redacted]

b6
b7C

Set Lead 7:

COLUMBIA

AT GREER, SOUTH CAROLINA

Will serve enclosed trial subpoena on [redacted]
[redacted] South Carolina, telephone
number [redacted]

b6
b7C

Set Lead 8:

LOUISVILLE

AT BURNSIDE, KENTUCKY

Will serve enclosed trial subpoena on [redacted]
also known as [redacted] white female, DOB [redacted] SSAN [redacted]
[redacted] Kentucky, telephone number [redacted]
[redacted] can possibly be reached through [redacted]
(Last Name Unknown) at telephone number [redacted]

b6
b7C

To: CINCINNATI From: WFO
Re: 46A-WF-179870 SUB UU, 09/18/1996

Set Lead 9:

MEMPHIS

AT HARTSVILLE, TENNESSEE

Will serve enclosed trial subpoena on [redacted]
[redacted] Tennessee 37074, telephone
number [redacted] is married to [redacted]
[redacted]

b6
b7C

Set Lead 10:

PHILADELPHIA

AT PHILADELPHIA, PENNSYLVANIA

Will serve enclosed trial subpoenas on [redacted]
and [redacted] of [redacted]
[redacted]
Philadelphia, Pennsylvania, telephone numbers [redacted] and
[redacted]

b6
b7C

Set Lead 11:

WFO

AT WASHINGTON, D.C.

Will serve attached trial subpoena on [redacted]
[redacted]
[redacted] Washington, D.C. 20515, telephone number [redacted]
[redacted] s home telephone number is [redacted]

b6
b7C

Set Lead 12:

AT WASHINGTON, D.C.

Will serve attached trial subpoena on [redacted]
[redacted]
Pennsylvania Avenue, N.W., [redacted] Washington,
D.C. 20004 [redacted] telephone number [redacted]

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b7C

To: CINCINNATI From: WFO
Re: 46A-WF-179870 SUB UU, 09/18/1996

Set Lead 13:

AT WASHINGTON, D.C.

Will serve attached trial subpoena on [redacted]
[redacted] Washington,
D.C., telephone number [redacted] s possible
residence address is [redacted] Alexandria,
Virginia, telephone number [redacted]

b6
b7C

Set Lead 14:

AT WASHINGTON, D.C.

Will serve attached trail subpoena on [redacted] of
[redacted]
[redacted] Washington, D.C., telephone number [redacted]
[redacted] resides at [redacted] Virginia,
telephone number [redacted]

b6
b7C

Set Lead 15:

AT WASHINGTON, D.C.

Will serve attached trial subpoena on [redacted] of
[redacted]
[redacted] Washington, D.C., telephone number [redacted]
[redacted] resides at [redacted] Maryland,
telephone number [redacted]

b6
b7C

ARMED AND DANGEROUS

CC: 4 - Cincinnati
2 - Cleveland
2 - Columbia
2 - Louisville
2 - Memphis
2 - Philadelphia
4 - WFO

♦♦

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/30/96b6
b7C

On September 25, 1996, United States District Court Subpoena, for the District of Columbia, dated September 12, 1996, was served on [REDACTED] Cincinnati, Ohio.

On September 26, 1996, United States District Court Subpoena, for the District of Columbia, dated September 12, 1996, was served on [REDACTED] Cincinnati, Ohio.

On September 26, 1996, United States District Court Subpoena, for the District of Columbia, dated September 13, 1996, was served on [REDACTED] at her place of employment, [REDACTED] Norwood, Ohio.

The above subpoenas requested their appearances in Washington, D.C. on October 15, 1996.

Investigation on 9/25-26/96 at CINCINNATI, OHIO

File # 46A-WF-179870-UU

by IA

jl
lk

Date dictated 9/30/96

b6
b7C

(06/31/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 09/30/1996

To: WFO

Attn: SA [REDACTED]
X-6304

b6
b7C

From: Cincinnati

Approved By: [REDACTED]

Drafted By: [REDACTED]

jlk

Case ID #: 46A-WF-179870-UU (Pending)

Title: BIG BOUNCE;
MAJOR CASE #55

ARMED AND DANGEROUS

Synopsis: Subpoenas served at Cincinnati, Ohio. Lead 504.1,2,4 covered.

Administrative: Re WFO EC to Cincinnati 09/18/1996.

Enclosures: Enclosed for WFO are three original executed United States District Court Subpoenas dated 09/12/1996 (2) and 09/13/1996 (1) and an original and one copy of an FD-302 reflecting service of above subpoenas.

Details: On 09/25/1996, United States District Court (USDC) Subpoena, dated 09/12/1996, was served on [REDACTED] Cincinnati, Ohio. On 09/26/1996, USDC Subpoena dated 09/12/1996 was served on [REDACTED] Cincinnati, Ohio. On 09/26/1996, USDC Subpoena dated 09/13/1996 was served on [REDACTED] at her place of employment, [REDACTED] Norwood, Ohio.

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♦♦
ORIGINAL DOCUMENT(S) ENCLOSED
DO NOT BLOCK STAMP

1

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 2 1996	
FBI - WASH. METRO FIELD OFFICE	

274 JLC 04 EC

(12/31/1995)

FEDERAL BUREAU OF INVESTIGATION C-9

Precedence: PRIORITY

Date: 10/03/1996

To: ✓ Washington Field Office

Attn: SSA [REDACTED]

b6
b7C

From: Louisville

London RA

Contact: SA [REDACTED]

606-878-8922

VDK/kwr
Approved By: [REDACTED]

Drafted By: [REDACTED] jap

Case ID #: 46A-WF-179870 SUB UU (Pending) *507*

Title: BIG BOUNCE;
MAJOR CASE #55;
OO: WFO

FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS

ARMED AND DANGEROUS

Synopsis: Results of Louisville Division, London RA investigation re captioned matter.

Administrative: Re WFO EC to Louisville, dated 9/18/96.

Enclosures: Enclosed for Louisville Division, Covington RA is one (1) copy of WFO's EC to Louisville, dated 9/18/96 and the original and one copy of trial subpoena issued by the United States District Court, District of Columbia for [REDACTED]

b6
b7C

Details: On 10/03/96, investigation in Burnside, Kentucky revealed that [REDACTED], also known as (aka) [REDACTED] white female, DOB [REDACTED] SSAN [REDACTED] no longer lives in the area. Investigation revealed that [REDACTED] is currently residing at [REDACTED] Kentucky.

46A-WF-179870-UU-507

kp
[REDACTED]
AB

To: Washington Field Office From: Louisville
Re: 46A-WF-179870 SUB UU, 10/03/1996

LEAD(s) :

Set Lead 1:

LOUISVILLE

AT LATONIA, KENTUCKY

1. Will serve enclosed trail subpoena on [REDACTED]

[REDACTED] white female, DOB [REDACTED] SSAN [REDACTED]

[REDACTED] Kentucky.

b6
b7C

ARMED AND DANGEROUS

♦♦

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY

Date: 09/30/1996

To: DIRECTOR, FBI

Attn: SSA [REDACTED] PUBLIC
CORRUPTION UNIT

b6
b7C

CINCINNATI
CLEVELAND
LOUISVILLE
MEMPHIS
PHILADELPHIA

Attn: SSA [REDACTED]

From: WFO

SQUAD C-9, NVRA

Contact: SA [REDACTED] X-6304

Approved By: [REDACTED]

Drafted By: [REDACTED]

CWS

File Number(s): 46A-WF-179870 SUB UU- (Pending)
508

Title: BIG BOUNCE;
MAJOR CASE #55;
OO: WFO

FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS

ARMED AND DANGEROUS

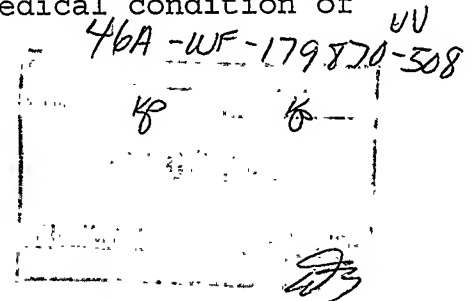
Synopsis: Discontinuance of lead to serve Trial Subpoenas due to continuance of trial of JOHN FITZPATRICK until 3/3/97.

Administrative: Re WFO teletypes to Director on 2/15/95 and 2/22/95, and WFO electronic communication to Cincinnati, dated 9/18/96.

Subject JOHN P. FITZPATRICK is known to keep a handgun on his person and/or in his desk drawer. FITZPATRICK is also considered to be a suspect in the unsolved murder of his business partner, HENRY WHITESELL. Accordingly, FITZPATRICK is considered to be Armed and Dangerous.

Details: For information of the Bureau and receiving offices, on 9/30/96, a status conference was held to discuss issues pertaining to the pending trial of United States of America v. John Fitzpatrick. During the conference, FITZPATRICK's attorneys made a motion for a continuance based on the medical condition of

ALF.
A
89



To: DIRECTOR, FBI From: WFO
Re: 46A-WF-179870 SUB UU, 09/30/1996

FITZPATRICK. The attorneys represented that FITZPATRICK has cancer and will be having surgery on 10/7/96 and 10/23/96. As a result of FITZPATRICK's represented medical condition, U.S. District Court Judge GLADYS KESSLER granted a continuance of FITZPATRICK's trial, which was scheduled to begin on 10/15/96. Judge KESSLER scheduled a new trial date of 3/3/97.

Due to the continuance of FITZPATRICK's trial until 3/3/97, offices receiving leads to serve trial subpoenas for the 10/15/96 trial should discontinue efforts to serve the subpoenas. Any unserved subpoenas can be returned to WFO. WFO will contact all of the witnesses in this case and advise them of the continuance of the trial.

WFO will keep the Bureau and the Cincinnati Division apprised to any significant developments in this matter.

ARMED AND DANGEROUS

CC: 3 - Cincinnati
2 - Cleveland
2 - Columbia
2 - Louisville
2 - Memphis
2 - Philadelphia
2 - WFO

♦♦

(12/31/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 10/07/1996

To: WFO

Attn: Squad C-9, NVRMRA
SA [REDACTED]

b6
b7C

From: Louisville
Covington RA
Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED] :mi

Case ID #: 46A-WF-179870-UU (Pending) ⁵⁰⁹

Title: BIG BOUNCE
MAJOR CASE #55

ARMED AND DANGEROUS

Synopsis: Service of trial subpoena to [REDACTED]
[REDACTED]

b6
b7C

Administrative: Re LS EC to WFO, 10/3/96.

Enclosures: Executed trial subpoena for [REDACTED]

Details: On 10/7/1996, [REDACTED]
[REDACTED] Kentucky (no telephone), accepted a trial
subpoena for the captioned matter. Profitt was advised to
expeditiously contact [REDACTED] Senior Counsel, for
logistical information. Accordingly, Louisville will conduct no
further investigation on this matter.

ARMED AND DANGEROUS

♦♦

46A-WF-179870, SUB UU-
509

DB/CS

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/27/96

[redacted] date of birth: [redacted] SSAN:
[redacted] a white female, residing at [redacted]
Akron, Ohio 44319, was apprised of the identity and purpose of
interviewing agent and served with a trial subpoena issued in the
District of Columbia. [redacted] advised that her telephone number
is [redacted] and stated that she understood and would comply
with the provisions of the subpoena.

b6
b7CInvestigation on 9/27/96 at Akron, OhioFile # 46A-WF-179870-44-510by SA [redacted]/lc.Date dictated 9/27/96

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 1 1996	
FBI - AKRON	

b6
b7C

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/1/96

A subpoena issued by the United States District Court, District of Columbia, case number 95-0042 GK, dated September 18, 1996 to [] was served on [] on September 30, 1996.

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[] advised that he would comply with the subpoena.

Investigation on 9/30/96 at Hamilton, Ohio

File # 46A-WF179870 -uu -512 Date dictated 9/30/96

by SA [] ORR:crq

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b7C

(12/31/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 10/01/1996

To: ✓ WFO

Attn: SA [redacted]

b6
b7C

From: Cincinnati

Middletown RA

Contact: SA [redacted] 513-423-8030

C-9

Approved By: [redacted]

Drafted By: [redacted]:crq

Case ID #: 46A-WF-179870-UU (Pending)

Title: BIG BOUNCE;
MAJOR CASE 55;

ARMED AND DANGEROUS

Synopsis: Subpoena served on [redacted] Subpoena for [redacted] not served.

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Administrative: Reference WFO EC to Cincinnati dated 9/18/96.

Enclosures: ^{TP} The original executed subpoena for [redacted] and the original and one copy of a FD-302 regarding the service of that subpoena. Also enclosed is the original and one copy of the unserved subpoena for [redacted]

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Details: A subpoena issued by the United States District Court, District of Columbia, case number 95-0042 GK, dated 9/18/96 was served on [redacted] on 9/30/96, at his place of business, [redacted], Hamilton, Ohio, telephone [redacted] advised that he would comply with the subpoena.

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The subpoena for [redacted] was not served inasmuch as Cincinnati learned of the upcoming trial continuance.

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ARMED AND DANGEROUS

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SEARCHED	INDEXED
SERIALIZED	FILED <i>kp</i>
OCT 23 1996	
FBI - WASH. METRO FIELD OFFICE	

[Signature]

✓
275CR007.EC

46A-WF-179870-UU -513

United States District Court

FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

V.

JOHN P. FITZPATRICK

SUBPOENA IN A CRIMINAL CASE

CASE NUMBER: 95-0042 GK

TO:

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b7C

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE

United States District Court House
Third and Constitution Avenues, N.W.
Washington, D.C. 20001

COURTROOM

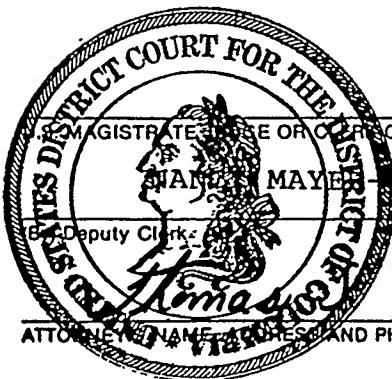
Courtroom 19
Sixth Floor

DATE AND TIME

Tuesday, October 15, 1996
9:00 am

☐ YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

Prior to traveling pursuant to this subpoena, please contact the prosecutor's office at (202) 616-2300 for instructions and assistance regarding travel arrangements for your appearance.



WALTER MAYER WHITTINGTON

Deputy Clerk

DATE

ATTORNEY NAME, ADDRESS, AND PHONE NUMBER:

William J. Corcoran, Senior Counsel
U.S. Department of Justice, House Bank Task Force Room 2212
Washington, D.C. 20530 (202) 616-2300

Hilton M. ... 9/18/96

PROOF OF SERVICE		
RECEIVED BY SERVER	DATE 9-26-96	PLACE Middletown, OH
SERVED	DATE 9-30-96	PLACE Hamilton, OH
SERVED ON (PRINT NAME) <div style="border: 1px solid black; height: 30px; width: 100%;"></div>		FEES AND MILEAGE TENDERED TO WITNESS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO AMOUNT \$ _____
SERVED BY (PRINT NAME) <div style="border: 1px solid black; height: 30px; width: 100%;"></div>		TITLE Special Agent - FBI
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.</p> <p>Executed on <u>9-30-96</u> Date</p> <p style="text-align: right;">Sig. <u>Middletown, OH</u> Address of Server</p>		
ADDITIONAL INFORMATION		

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United States District Court

FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

V.

JOHN P. FITZPATRICK

SUBPOENA IN A CRIMINAL CASE

CASE NUMBER: 95-0042 GK

TO:

b6
b7C

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE

United States District Court House
Third and Constitution Avenues, N.W.
Washington, D.C. 20001

COURTROOM

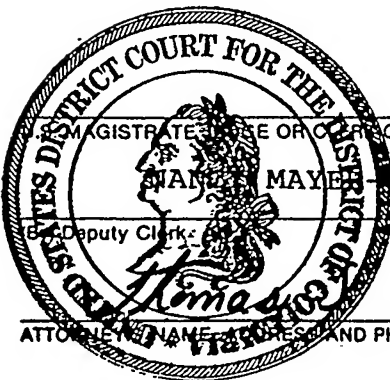
Courtroom 19
Sixth Floor

DATE AND TIME

Tuesday, October 15, 1996
9:00 am

☐ YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

Prior to traveling pursuant to this subpoena, please contact the prosecutor's office at (202) 616-2300 for instructions and assistance regarding travel arrangements for your appearance.



MAGISTRATE JUDGE OR CLERK OF COURT

WALTER MAYER WHITTINGTON

Deputy Clerk

DATE

Hilton *W. J. Corcoran* 9/18/96

ATTORNEY NAME, ADDRESS AND PHONE NUMBER:

William J. Corcoran, Senior Counsel
U.S. Department of Justice, House Bank Task Force Room 2212
Washington, D.C. 20530 (202) 616-2300

United States District Court

FOR THE

DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

V.

JOHN P. FITZPATRICK

SUBPOENA IN A CRIMINAL CASE

CASE NUMBER: 95-0042 GK

TO:

b6
b7C

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE

United States District Court House
Third and Constitution Avenues, N.W.
Washington, D.C. 20001

COURTROOM

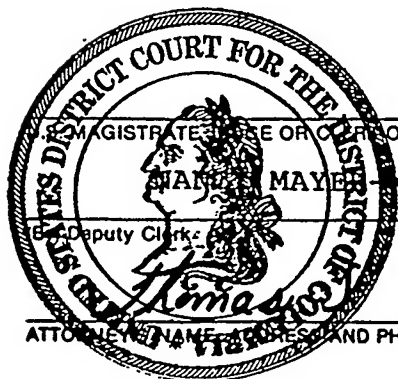
Courtroom 19
Sixth Floor

DATE AND TIME

Tuesday, October 15, 1996
9:00 am

☐ YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

Prior to traveling pursuant to this subpoena, please contact the prosecutor's office at (202) 616-2300 for instructions and assistance regarding travel arrangements for your appearance.



CLERK OF COURT

THOMAS MAYER WHITTINGTON

Deputy Clerk

DATE

ATTORNEY NAME, ADDRESS, AND PHONE NUMBER: William J. Corcoran, Senior Counsel

U.S. Department of Justice, House Bank Task Force Room 2212
Washington, D.C. 20530 (202) 616-2300

Hilton *William J. Corcoran* 9/18/96



FBI FACSIMILE

COVERSHEET

PRECEDENCE:

- ☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION:

- ☐ Top Secret
☐ Secret
☐ Confidential
☐ Sensitive
☒ Unclassified

Time Transmitted: 812Sender's Initials: SWPNumber of Pages: 4
(including coversheet)To: U.S. DEPT. OF JUSTICE - HOUSE BANK TASK FORCE Date: 6/5/96
(Name of Office)Facsimile Number: (202) 616-2304Attn: [Redacted]

(Name)

Room

(202) 616-2302
Telephone Number)From: WMFO/NVMRA

(Name of Office)

Subject: DONALD "BUZ" LUKENSSpecial Handling Instructions: Please provide ASAP to [Redacted]Originator's Name: SA [Redacted]Telephone: 202-324-6304Originator's Facsimile Number: 202-324-6426Approved: DB/ [Signature]

[redacted]
Following are my comments re [redacted]'s letter:

① pg. 2 of [redacted]'s letter, first full paragraph-

LUKENS said \$15,000 had been received from a JOHN FITZGERALD. LUKENS neglected to mention that the \$15,000 was provided in the form of two \$7500 checks, one from HENRY WHITESELL. He misstated FITZPATRICK's name. ~~LUKENS~~ With regard to [redacted] several of their statements are contradictory. LUKENS said he went to the meeting alone. [redacted] ultimately admitted he was there. LUKENS said he told [redacted] about receiving the \$15,000 from FITZPATRICK. [redacted] said LUKENS did not tell him about the money.

② pg. 2, second full paragraph

We did not say the interview dealt exclusively with LUKENS' House Bank accounts and compliance with election laws. We told him something to the effect that the interview would deal with issues related to his House Bank account, of which sizable payments into the account ought to qualify. Plus, the fact that the \$15,000 from FITZPATRICK and WHITESELL was immediately put into his campaign certainly is an election law issue.

③ pg. 2, third full paragraph

Maybe we should have just told him everything we knew, so he could tailor all of his answers to the facts that we gave him!

④ pg. 3, 2nd full paragraph

My recollection is that [] admitted that [] handled some priority matters. [] also stated that a matter in which LUKENS personally made a call would qualify as the highest priority.

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⑤ pg. 3 - 3rd full paragraph

[] wasn't asked whether he recognized LUKENS' voice in the first trial. He likely would have remembered it if he had been asked. He didn't have a "memory transfusion."

Also, you might want to mention that LUKENS', in his interview with us, denied ever using his office or official position to benefit Fitzpatrick or his schools. This would include assigning [] to work on the FITZPATRICK matter. LUKENS himself admitted ^{doing} this in his trial testimony.

⑥ page 5 -

Is [] correct that the false statements must significantly obstruct or impede the prosecution? Is an attempt to obstruct or impede, even if unsuccessful, enough to satisfy the provision? If not, the prosecution is being penalized for not allowing LUKENS' false statements to hinder the investigation or prosecution?

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⑦ pg. 6 - second full paragraph

[] and the DOE certainly have something to do with LUKENS' conviction on the conspiracy count. Judge Kessler's ruling that the evidence re the 8/90 DOE audit, telephone call to [] etc., was admissible should satisfy the requirement that the obstruction occur with respect to the offense of conviction (the conspiracy).

Call me if you have any questions about my comments.

Thanks

[]

(12/31/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 10/28/1996

To: WMFO

Attn: SA [redacted]
Squad C-9

b6
b7C

From: Philadelphia
Squad 8

Contact: SA [redacted]

Approved By: [redacted]

Drafted By: [redacted] mmh

Case ID #: 46A-WF-179870 SUB UU (Pending)

Title: BIG BOUNCE;
MAJOR CASE 55

ARMED AND DANGEROUS

Synopsis: Trial subpoenas were served at Philadelphia, Pennsylvania, to United States Department of Education employees, [redacted]

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Details: On 09/26/1996, [redacted] were served subpoenas for the trial of John P. Fitzpatrick scheduled for Washington, D.C., on 10/15/1996.

On 10/9/1996, SA [redacted] WMFO, advised the trial scheduled for 10/15/1996, had been rescheduled for March, 1997. [redacted] advised that he had telephonically contacted [redacted] and advised them of the fact that the trial for 10/15/1996, had been canceled.

ARMED AND DANGEROUS

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46A-WF-179870-UU-515

PH

KP

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/9/96

[redacted] was telephonically contacted and
provided the following information to SA [redacted]

[redacted]

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Investigation on 9/20/96 at Falls Church, Virginia (telephonically)
File # 46A-WF-179870⁵¹⁶ SUB UU Date dictated 9/27/96
by SA [redacted]

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b7C

Memorandum



To : ADIC WMFO [redacted] (P) Date 10/31/96

From : SA [redacted] (C-9)

Subject : [redacted]

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b7D

Dates of Contact [redacted]		
File #s on which contacted (Use Titles if File #s not available) 46A-WF-179870, SUB UU		
Purpose and results of contact <input type="checkbox"/> NEGATIVE <input checked="" type="checkbox"/> POSITIVE (See attached FD-302) <input type="checkbox"/> STATISTIC		
Description of Statistical Accomplishment	Title of Case	File No.
<p>Information contained herein was obtained confidentially. The informant's name is not to be disclosed in any form unless a conscious decision has been made to disclose his/her identity by an appropriate FBI official.</p> <p>PERSONAL DATA</p> <p style="text-align: right;">46A-WF-179870 UU- Kp Kp</p>		

b7D

1 -

1 -

1 - 46A-WF-179870, SUB UU

Init. CWS/cws

(3) - WFO

see reverse side for statistics

b7D

(12/31/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 02/05/1997

To: DIRECTOR, FBI
CINCINNATI
CLEVELAND

Attn: SSA [REDACTED]
Attn: SSA [REDACTED]

b6
b7C

From: WFO

SQUAD C-9, NVRA

Contact: SA [REDACTED] X-6304

Approved By: [REDACTED]

Drafted By: [REDACTED] CWS

Case ID #: 46A-WF-179870 SUB UU (Pending)

Title: BIG BOUNCE;
MAJOR CASE #55;
OO: WFO

FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS

ARMED AND DANGEROUS

Synopsis: Information re retrial of JOHN P. FITZPATRICK - Trial Date 3/3/97.

Administrative: Re WFO teletypes to Director on 2/15/95, 2/22/95, 3/4/96, and 3/18/96, and numerous other communications between WFO, the Bureau, and the Cincinnati and Cleveland Divisions.

Subject JOHN P. FITZPATRICK is known to keep a handgun on his person and/or in his desk drawer. FITZPATRICK is also considered to be a suspect in the unsolved murder of his former business partner, HENRY WHITESELL. Accordingly, FITZPATRICK is considered to be Armed and Dangerous.

Details: For the information of the Bureau and receiving offices, the retrial of JOHN P. FITZPATRICK on charges including bribery of former U.S. Congressman DONALD E. "BUZ" LUKENS is scheduled to begin on 3/3/97 in U.S. District Court in Washington, D.C. A status conference is set for 2/14/97 at which time Judge GLADYS KESSLER should rule on several outstanding motions and finalize the schedule for the trial. WFO will keep the Bureau and appropriate other offices apprised of any significant developments in this case.

ACFA
2/5/97
43

46A-WF-179870-UU-520

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 10 1997	
FBI - CLEVELAND	

To: DIRECTOR, FBI From: WFO
Re: 46A-WF-179870 SUB UU, 02/05/1997

ARMED AND DANGEROUS

CC: 2 - FBIHQ
2 - Cincinnati
2 - Cleveland
① - WFO

♦♦

01/28/1997

Page B-2

Lukens argues conviction should be overturned

BY KATHERINE RIZZO

The Associated Press

WASHINGTON — Former U.S. Rep. Donald "Buzz" Lukens of Middletown is trying to convince a three-judge appeals panel that his bribery and conspiracy conviction was the result of a courtroom blunder.

The defense, which won a combination of innocent verdicts and a deadlocked jury at Mr. Lukens' first trial in 1995, contends federal Judge Gladys Kessler should have limited the scope of Mr. Lukens' second trial in March.

Mr. Lukens wanted jurors to hear only about one transaction and nothing about other transactions that the first jury ruled were not bribes.

The trial judge allowed the government to present all of its conspiracy evidence.

In briefs filed with the U.S. Court of Appeals, Mr. Lukens again contends the second jury heard too much evidence.

The Republican, who now lives in Dallas, was given the minimum sentence of 30 months' imprisonment, but Judge Kessler said she considered imprisoning him "a waste of taxpayers' money."

She allowed him to remain free while awaiting the outcome of his appeal.

Mr. Lukens' prosecution was the byproduct of an unrelated scandal involving the former House bank. Investigators examining questionable transactions found two \$7,500 deposits in Congress' in-house bank, where overdrafts were penalty-free and lawmakers could write checks in excess of their next several months' pay.

-523

46A-WF-179870, SUB UU

19

19

DB/AS

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/24/97

[redacted] Date/Place of Birth (D/POB):
[redacted] was telephonically
contacted at her residence, [redacted] Dayton, Ohio
45406, [redacted] is employed by [redacted]
[redacted] in Centerville, Ohio, [redacted] where she is
[redacted] has been at [redacted] for approximately [redacted] After being
advised of the identity of the interviewing Agent and the nature
of the interview, [redacted] provided the following information:

[redacted] advised that she worked at SOUTHWESTERN COLLEGE
OF BUSINESS (SCB) from approximately 1979 through 1985. [redacted]
was at the SCB campus in Kettering, Ohio. [redacted] started out as
[redacted] at SCB and later was promoted to the position of
[redacted] for the Kettering campus. [redacted]
identified the owner of SCB as [redacted]

[redacted] stated that [redacted] and SCB always seemed to be
in some kind of trouble. Often, the trouble was with the State
of Ohio Board of Proprietary Schools. [redacted] recalled that, on
one occasion, SCB's records were confiscated, possibly by the
FEDERAL BUREAU OF INVESTIGATION (FBI). For a period of several
months, SCB was deprived of its records and had to contact the
prosecuting attorney's office whenever a student file or other
record was needed. Ultimately, the records were returned to SCB.
[redacted] stated that, while she worked at SCB, she always had the
feeling that something was not right about the operation of the
schools.

[redacted] commented that [redacted] always seemed to know in
advance when the state regulators would be coming to SCB. When
regulators were coming to audit SCB, SCB employees would have to
work all night changing records. [redacted] stated that [redacted] would
want every student file pulled and "corrected" before the files
were provided to the auditors.

Investigation on 2/1/96 at Washington, D.C.(telephonically) 46A-WF-179870 uL
Ko 524File # WFO 46A-WF-179870, SUB UUDate dictated 2/22/96by SA [redacted] :vls

WFO 46A-WF-179870, SUB UU

Continuation of FD-302 of [REDACTED], On 2/1/96, Page 2 b6 b7C

[REDACTED] remembered one occasion when SCB employees stayed all night working on records before some type of audit or examination. [REDACTED] recalled that the people worked in a conference room at SCB's Kettering campus. [REDACTED] observed SCB employees in the conference room using white-out to make changes to records and creating new files. [REDACTED] stated that the door to the conference room was open, so she could see and hear what was going on inside. [REDACTED] stated that she observed plenty of white-out on the conference table. [REDACTED] said that the SCB employees were laughing and cutting up while they were working. [REDACTED] commented that she did not think the people realized the seriousness of what they were doing by changing records. [REDACTED] stated that she refused to participate in the records-changing session, although she was required to be in the building as the [REDACTED] for the school. [REDACTED] believed that what the SCB employees were doing was wrong, and she did not want to get herself in trouble by being a part of it. [REDACTED] was so concerned about the propriety of what the SCB employees were doing in the conference room that she had her husband come and stay with her at the school for several hours, so she would have a witness that she did not do anything illegal. [REDACTED] identified individuals participating in the records-changing session as [REDACTED] a Registrar for SCB, and [REDACTED]. [REDACTED] recalled that some employees from SCB's Middletown, Ohio, campus also came to Kettering to work on the records. [REDACTED] did not recall JOHN FITZPATRICK being at the aforementioned records-changing session. However, [REDACTED] stated that her recollection of the participants was not very good, since the event took place over ten years ago, and that FITZPATRICK conceivably could have been there. [REDACTED] commented that her refusal to participate in changing SCB records triggered some resentment from her subordinate employees who worked all night on the records.

[REDACTED] thought FITZPATRICK worked at SCB's Middletown school. [REDACTED] remembered FITZPATRICK coming to her office one day and talking to her about a prospective lawsuit he intended to file against [REDACTED] and SCB. FITZPATRICK wanted to file a class action suit against [REDACTED]. FITZPATRICK indicated that he was very unhappy, and [REDACTED] believed he may have either been fired or was about to quit his position at SCB. FITZPATRICK wanted to know if other SCB employees were unhappy too. [REDACTED] recalled that FITZPATRICK's concerns related to employees' pay and whether they were dissatisfied with what they were doing. [REDACTED]

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WFO 46A-WF-179870, SUB UU

Continuation of FD-302 of [REDACTED], On 2/1/96, Page 3 b6 b7C

recalled that FITZPATRICK also implied that he was aware of underhanded activities going on at SCB. FITZPATRICK told [REDACTED] that he had an attorney and wondered whether [REDACTED] knew of anyone who would like to talk to the attorney about problems and/or improprieties at SCB. [REDACTED] agreed to talk to FITZPATRICK's attorney. She later received a call from (First Name Unknown) [REDACTED] asked [REDACTED] numerous questions. At the end of their conversation, [REDACTED] indicated that [REDACTED] did not have much information he could use. [REDACTED] commented that it was her impression that FITZPATRICK definitely disliked [REDACTED]

[REDACTED] informed that HENRY WHITESELL worked at SCB while she was there. [REDACTED] considered WHITESELL to be a wonderful person. [REDACTED] was aware that WHITESELL later opened his own proprietary school. [REDACTED] believed WHITESELL felt like, "If [REDACTED] can run a school, I can run a school."

[REDACTED] advised that [REDACTED] was an official at SCB. She stated that [REDACTED] worked very closely with [REDACTED]

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/24/97

[redacted] Date of Birth (DOB): [redacted]
[redacted] was telephonically contacted at her place of employment,
[redacted] Dayton, Ohio, [redacted] is
[redacted] resides at [redacted] Dayton, Ohio 45407, [redacted]
[redacted] After being advised of the identity of the
interviewing Agent and the nature of the interview, [redacted]
furnished the following information:

[redacted] advised that she attended SOUTHWESTERN
COLLEGE OF BUSINESS (SCB) as a student. [redacted] then went to
work for SCB. She worked for SCB from approximately [redacted]

[redacted] started out in the position of

[redacted] Later, the name of her position was changed.
[redacted] advised that her job responsibilities at SCB involved
handling student attendance and keeping student files. [redacted]
began at SCB's campus in West Carrollton, Ohio. She then moved
to SCB's school in Kettering, Ohio, where she worked from about
[redacted] In [redacted] went to SCB's Dayton
campus.

[redacted] recalled that SCB was audited several times
while she was employed there. [redacted] stated that she was
responsible for making sure that all documents that needed to be
in SCB's files were present prior to reviewers seeing the files.
[redacted] recalled occasions when, prior to anticipated audits,
she and other SCB employees would go through SCB's files making
sure all the information that was supposed to be in the files was
there. [redacted] identified [redacted] who handled Financial
Aid for SCB's Kettering school, and [redacted] as other SCB
employees who helped her go through files prior to audits.
[redacted] stated that she was not aware of false information
being put into files as they were prepared for audits. [redacted]
denied altering attendance records of students at SCB. [redacted]
mentioned that reviewers sometimes came to SCB unannounced, in
which case it was not possible for SCB employees to prepare the
files in advance of the audits. [redacted] thought that SCB was

Investigation on 2/2/96 at Washington, D.C.

46A-WF-179870-uu
(telephonically) 525

File # WFO 46A-WF-179870, SUB UU

Date dictated 2/23/96

by SA [redacted]:vls

WFO 46A-WF-179870, SUB UU

Continuation of FD-302 of [REDACTED], On 2/2/96, Page 2 b6 b7C

fined once for not having all of the required information in its files at the time of an audit. [REDACTED] remembered an instance when a regulatory body seized a large number of records from SCB's Kettering campus.

[REDACTED] stated that she left SCB in [REDACTED] because she "didn't like what was happening" at the schools. [REDACTED] observed that SCB was enrolling students who could not even read or write. Recruiting the highest numbers of students possible became a top priority so SCB could obtain the maximum amount of financial aid funds. As a result, SCB had numerous students in its programs who were not qualified to be there.

[REDACTED] advised that she knew [REDACTED] of SCB, quite well. Initially, [REDACTED] believed [REDACTED] was interested in helping the students at SCB. Later, she came to the conclusion that [REDACTED] was only interested in money.

[REDACTED] recalled that JOHN FITZPATRICK was an instructor at SCB's school in Middletown, Ohio. She thought that Fitzpatrick may have been fired by SCB. [REDACTED] was not aware of any lawsuit filed by Fitzpatrick against SCB.

[REDACTED] stated that she did not have anything to do with financial aid at SCB. She reiterated that she handled attendance records for SCB. [REDACTED] identified [REDACTED] as the person handling attendance prior to her employment with SCB.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/5/97

[redacted] Date of Birth (DOB): [redacted] was telephonically contacted at his place of employment, [redacted] Fort Mitchell, Kentucky 41017, [redacted] is [redacted] resides at [redacted] Cincinnati, Ohio 45231, [redacted] After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

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[redacted] advised that he worked for Southwestern College of Business (SCB) from approximately [redacted] left SCB for a period of time, but returned to SCB and worked there from [redacted]

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[redacted] identified JOHN FITZPATRICK as the Director of Education for SCB's campus in Middletown, Ohio. [redacted] recalled that the administration of SCB had difficulties with FITZPATRICK. The troubles involved inconsistencies and discrepancies concerning attendance records of SCB students. [redacted] strongly suspected that FITZPATRICK falsified SCB student attendance records to reflect that students were in school when they were not actually present. [redacted] explained that SCB had a policy whereby the Directors of Education could receive monetary bonuses based on retention of students at their particular schools. [redacted] felt FITZPATRICK manipulated student attendance records to boost his student retention levels and thereby increase the bonuses he could claim from SCB.

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[redacted] stated that he was aware of instances where FITZPATRICK would report numbers for student attendance that "just wouldn't match up". [redacted] advised that he conducted investigations to resolve the discrepancies in the figures reported by FITZPATRICK. [redacted] stated that he was able to confirm that student attendance records submitted by FITZPATRICK were not accurate, and that the records contained names and attendance for students who were not present in school. [redacted] verified several instances where students were determined to not

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Investigation on 2/7/96 at Washington, D.C. (telephonically)
File # WFO 46A-WF-179870, SUB UU Date dictated 2/23/96
by SA [redacted] :vls

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WFO 46A-WF-179870, SUB UU

Continuation of FD-302 of [REDACTED]

, On 2/7/96, Page 2

b6
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have been present in classes although attendance records submitted by FITZPATRICK represented that they were present on the dates in question. [REDACTED] advised that he tracked down students who told him that they had dropped out of school, even though FITZPATRICK's records still reflected the students as attending SCB. [REDACTED] then questioned the instructors of the classes in which the students were allegedly attending according to FITZPATRICK's records. Some of the instructors said that they had the names on their rosters because FITZPATRICK told them the students were in school, even if the students were not attending their classes. [REDACTED] commented that the inconsistencies and discrepancies always benefitted FITZPATRICK and increased his bonuses from SCB. [REDACTED] advised that he confronted FITZPATRICK about instances where he had proven that the student attendance records submitted by FITZPATRICK contained names of individuals who were not in school. [REDACTED] stated that FITZPATRICK always responded by blaming someone else and claiming that the discrepancies were someone else's fault. FITZPATRICK often blamed his school's registrar or instructors at the school for the inaccuracies in the records. [REDACTED] stated that FITZPATRICK manipulated his school's student attendance records and thereby inflated his bonuses during two or three quarters.

[REDACTED] advised that [REDACTED] possibly assisted FITZPATRICK in his records manipulation scheme. [REDACTED] identified [REDACTED] as [REDACTED] for SCB's Middletown school. FITZPATRICK was [REDACTED]'s supervisor. [REDACTED] stated that he felt there was "something going" between FITZPATRICK, [REDACTED] and possibly [REDACTED] of SCB's Middletown campus, regarding the manipulation of student attendance records. [REDACTED] commented that [REDACTED] in her position, should have noticed the discrepancies and inconsistencies in the records being submitted by SCB's Middletown School.

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[REDACTED] informed that FITZPATRICK abruptly left SCB to go with HENRY WHITESELL, who had started another proprietary school, Cambridge Technical Institute (CTI). WHITESELL and FITZPATRICK operated CTI in the same area as SCB. [REDACTED] stated that CTI then attempted to recruit students away from SCB. CTI recruiters even tried to recruit SCB's students right off of SCB's premises. [REDACTED] said he heard rumors that FITZPATRICK was encouraging underhanded practices at CTI, such as "tombstone recruiting". [REDACTED] described "tombstone recruiting" as the

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WFO 46A-WF-179870, SUB UU

Continuation of FD-302 of [REDACTED]

, On 2/7/96, Page 3

b6
b7C

practice of obtaining Social Security Account Numbers for individuals and using the numbers to draw financial aid monies even though the persons were not in school.

After FITZPATRICK left SCB, he brought a lawsuit against SCB for back bonuses that he alleged he was owed by the school. [REDACTED] stated that he believed the bonuses claimed by FITZPATRICK in the lawsuit were created through the manipulation of SCB's records as described previously. [REDACTED] advised that SCB came to the court proceeding unprepared. As a result, the judge rendered a decision in favor of FITZPATRICK and awarded him monetary damages to be paid by SCB. [REDACTED] commented that he thought the decision made by the judge in favor of FITZPATRICK was wrong.

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[REDACTED] advised that he was aware of instances where FITZPATRICK was hostile toward students at SCB. [REDACTED] cited one incident where FITZPATRICK allegedly threatened a student and displayed a weapon during the altercation. [REDACTED] stated that FITZPATRICK told the student something to the effect of, "Mr. SMITH & WESSON says it will be done this way".

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[REDACTED] stated that [REDACTED] told "horror stories" about FITZPATRICK's behavior. [REDACTED] was aware that FITZPATRICK lived a very lavish lifestyle after he went to CTI. [REDACTED] commented that FITZPATRICK could not have made the kind of money he was making at CTI if CTI had operated legally.

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[REDACTED] described FITZPATRICK as a very vindictive person. [REDACTED] stated that FITZPATRICK had a "Napoleonic complex" because of his short physical stature. [REDACTED] commented that there was "not much FITZPATRICK wouldn't do for a dollar or for revenge".

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[REDACTED] mentioned WHITESELL's "untimely demise" and indicated that he was suspicious that FITZPATRICK might have had something to do with the murder.

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[REDACTED] advised that SCB was investigated by the FEDERAL BUREAU OF INVESTIGATION (FBI). The investigation was initiated as the result of complaints made to the United States Attorney in Dayton, Ohio, by students and ex-employees of SCB. During the course of the investigation, the FBI seized records from SCB. [REDACTED] stated that, prior to turning over records to the FBI,

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WFO 46A-WF-179870, SUB UU

Continuation of FD-302 of [REDACTED]

, On 2/7/96, Page 4

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officials at every SCB campus were asked to check their records for obvious inaccuracies and make the appropriate changes. For example, SCB employees were directed to review student attendance cards and make sure the last days of attendance for students matched with other supporting records. [REDACTED] advised that a lot of errors were discovered during the reviews. [REDACTED] stated that many changes were made to correct the inaccuracies. Numerous SCB employees were involved in reviewing the records and making changes to correct errors that were found. [REDACTED] commented that someone could easily have drawn the inference that SCB was doing something improper by reviewing the records and making changes before turning them over to the FBI. However, [REDACTED] claimed that he was not aware of changes to records being made for any purpose other than to correct inaccuracies. [REDACTED] maintained that records were not changed to cover up instances where SCB had improperly drawn financial aid funds. [REDACTED] commented that, to the best of his knowledge, no one was ever told to do anything other than match up records legitimately.

[REDACTED] stated that he testified before the Grand Jury during the above-stated investigation of SCB.

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/25/97

[redacted] Date of Birth [redacted]
(DOB): [redacted] was contacted at her residence, [redacted]
[redacted] Cincinnati, Ohio 45215, [redacted]
[redacted] is employed with [redacted] in Cincinnati, Ohio, [redacted]
[redacted] After being advised of the identity of the
interviewing Agent and the nature of the interview, [redacted]
furnished the following information:

[redacted] advised that she worked at Southwestern College
of Business (SCB) from around [redacted] While
employed with SCB, [redacted] served as [redacted]
[redacted] at SCB's campuses in
Hamilton, Kettering, and Lockland.

[redacted] was aware of problems at SCB. She stated that
a lot of students came and registered to go to school at SCB, but
never showed up for classes. SCB would still process these
students' Pell Grants and Supplemental Educational Opportunity
Grants (SEOG). [redacted] stated that, while she was at SCB, she
identified numerous students who never attended classes, but for
whom SCB collected financial aid monies. [redacted] heard that
attendance records were created and altered to falsely reflect
student attendance to support the receipt of financial aid funds
on those students. [redacted] stated that SCB apparently recruited
students to enroll by representing that they would get money back
from the financial aid grants. She recalled one student saying
something to the effect of, "I don't want to go to school; I just
want the money." [redacted] also recalled there being controversies
involving students who said they never went to classes at SCB,
yet received notices saying they owed money on student loans.

[redacted] recalled having to go through SCB's records and
"clean up" discrepancies. [redacted] advised that she and her
husband were planning to go on vacation, but that [redacted]
the owner of SCB, made them stay to help with the records.
[redacted] even paid [redacted] and her husband the money they lost by
not being able to go on their vacation trip. [redacted] remembered

Investigation on 2/11/96 at Washington, D.C.

File # WFO 46A-WF-179870, SUB UU - 527 Date dictated 2/16/96

by SA [redacted] [signature]

WFO 46A-WF-179870, SUB UU

Continuation of FD-302 of [REDACTED]

, On 2/11/96, Page 2

b6
b7C

that they had to review all of SCB's records and, whenever they found something that did not match up, a change had to be made to eliminate the discrepancy. [REDACTED] recalled that the SCB registrars would figure out students' drop dates, and her husband would calculate required refunds of financial aid funds. [REDACTED] remembered a number of SCB employees working on the records in an office at SCB's school in Kettering, Ohio. She could not recall whether JOHN FITZPATRICK was among the people working on the records.

[REDACTED] advised that she was dismissed by SCB during January, 1983. [REDACTED] told her that her services were no longer needed. [REDACTED] stated that the real reason she was terminated was because she talked with the FEDERAL BUREAU OF INVESTIGATION (FBI) about problems at SCB. [REDACTED] understood that [REDACTED] ordered that she be fired after he learned that she had spoken with the FBI. [REDACTED] informed that she also expressed her concerns about SCB to a representative of Congress, TOM KINDNESS.

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Accomplishment Report

(Accomplishment must be reported and loaded into IS within 30 days from date of accomplishment)

Date Prepared 3/18/97

Date Loaded _____

Data Loader's Initials _____

Squad supervisor approval
(please initial)

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Accomplishment involves:
(check all that apply)

Drugs ☐

A Fugitive ☐

Bankruptcy Fraud ☐

Computer Fraud/Abuse ☐

Corruption of Public Officials ☒

Forfeiture Assets ☐

Sub Invest Asst by FO (s) ☐

Asst. FO(s) CI, _____, _____
A, B, C, D

Task Force _____

Assisting Agencies x •

1. _____

2. _____

File Number

46A-WF-179870

Stat Agent Soc. Sec. No.

Stat Agent Name

RA Squad
NVRA C-9

Assisting Agents Soc. Sec. No. x

1. _____

Name: _____

2. _____

Name: _____

Investigative Assistance or Technique Used

1-Used, but did not help 3 - Helped, substantially
2 -Helped, minimally 4 - Absolutely essential
For Sub. Invest. Assist. by other FO (s) indicate A,B,C,D for corresponding FO

Rate	FO	IAT	Rate	FO	IAT	Rate	FO	IAT	Rate	FO	IAT
	Fin. Analyst			Lab. Div. Exam			UCO - Group I			Ft. Mon.- NRCSC	
	Aircraft Asst.			Lab. Field Sup			UCO - Group II			For. Lang Asst.	
	Computer			Pen Registers			UCO - Nat. Back			Non FBI Lab Ex	
	Consen Mon.			Photo Cover.			NCAVC / VI - CAP				
	Elsur / FISC			Polygraph			Crim Intel Asst				
	Elsur / T. III			Search Warrant			Crisis Neg. - Fed.				
	Eng. Field Spt.			Show Money			Crisis Neg. - Local				
	Eng. Tape Ex			SOG Asst.			ERT Asst.				
	Legats Asst.			Swat Team			Butte - ITC				
	Evid Purchase			Tech. Ag/Equip			Sav - ITC				
	Inf/CW Info			Phone Toll Rec			Poc - WRCSC				

A. Complaint / Information / Indictment

☐ Federal ☐ Local ☐ International

Complaint Date _____

Check if Civil Rico Complaint ☐

Information Date _____

Indictment Date _____

B. Locate/ Arrest

☐ Federal ☐ Local ☐ InternationalSubject Priority: ☐ A ☐ B ☐ C

Locate Date _____

Arrest Date _____

☐ Subject Resisted Arrest☐ Subject Arrested was Armed

C. Summons

☐ Federal ☐ Local

Summons Date _____

H. Conviction

☒ Federal ☐ Local ☐ InternationalConviction Date: 3/6/97

Subject Description Code _____

For 6F, G, H--Include Agency Code

☒ Felony Or ☐ Misdemeanor☒ Plea Or ☐ TrialState: DC Judicial District: _____

D. Hostage(s) Released Date _____

Released by: ☐ Terrorist ☐ Other

Number of Hostages: _____

Child Located Date _____

E. Recovery / Restitution / PELP x

☐ Federal ☐ Local ☐ International

Recovery Date _____

Code • Amount

	\$
	\$

Restitution Date _____

☐ Court Ordered☐ Pretrial Diversion

Code • Amount

	\$
--	----

PELP Date _____

Code • Amount

	\$
--	----

I. U.S. Code Violations

Required for Sections A, B, F, and H
(Federal only)

Title	Section	# of Counts
18	371	1

F. Civil Rico Matters Date _____

Also Complete Section I

or

Other Civil Matters Date _____

Judgment _____

Judicial Outcome _____ x •

Amount: \$ _____

Suspension:

Years	Months

G. Administrative Sanctions Date _____

Subject Description Code _____

Type: Length:

☐ Suspension ☐ Permanent☐ Debarment ☐ _____☐ Injunction

Years	Months

J. Sentence Date: 3/6/97Sentence type: IS, PB

In-Jail		Suspended		Probation	
Years	Months	Years	Months	Years	Months
2	0	0	0	3	0

Fines: \$ 50.00

K. Acquittal / Dismissal / Pretrial Diversion

Acquittal Date _____

Dismissal Date _____

Pretrial Diversion Date _____

L. Subject Information (Required for all Sections excluding Section D and E (Recovery/PELP))

Name	Race •	Sex	Date of Birth	Social Security No. (if available)
JOHN PHILLIP FITZPATRICK	W	M	2/27/55	280-46-2510

For Indictments/Convictions only:

☐ Subject related to an LCN, Asian Organized Crime (AOC), Italian Organized Crime (IOC) Group-Complete FD-515a, Side 1☐ Subject related to an OC/Drug Organization or a VCMO Program relating to street gangs involved in drugs-Complete FD-515a, Side 2

x Additional information may be added by attaching another form or a plain sheet of paper for additional entries.

• See codes on reverse side.

Serial No. of FD-515

528

PROPERTY CODES

01 Cash
02 Stocks, Bonds or Negot. Instruments
03 General Retail Merchandise
04 Vehicles
05 Heavy Machinery & Equipment
06 Aircraft
07 Jewelry
08 Vessels
09 Art, Antiques or Rare Collections
11 Real Property
20 All Other

SENTENCE TYPES

CP Capital Punishment
JS Jail Sentence
LS Life Sentence
NS No Sentence (Subject is a Fugitive, Insane, has Died, or is a Corporation)
PB Probation
SJ Suspension of Jail Sentence
YC Youth Correction Act

PELP CODES

22 Counterfeit
Stocks/Bonds/Currency/
Negotiable Instruments
23 Counterfeit/Pirated Sound
Recordings or Motion Pictures
24 Bank Theft Scheme Aborted
25 Ransom, Extortion or Bribe
Demand Aborted
26 Theft From or Fraud Against
Government Scheme Aborted
27 Commercial or Industrial
Theft Scheme Aborted
30 All Other

RACE CODES

A Asian/Pacific Islander
B Black
I Indian/American
U Unknown
W White
X Nonindividual

JOINT AGENCY CODES

ACIS Army Criminal Investigative Service
BATF Bureau of Alcohol, Tobacco & Firearms
BIA Bureau of Indian Affairs
DCAA Defense Contract Audit Agency
DCIS Defense Criminal Investigative Service
DEA Drug Enforcement Administration
DOC Department of Corrections
DOI Dept. of Interior
EPA Environmental Protection Agency
FAA Federal Aviation Administration
FDA Food and Drug Administration
HHS Dept. of Health & Human Services
HUD Dept. of Housing & Urban Development
INS Immigration and Naturalization Service
IRS Internal Revenue Service
NASA Nat'l Aeronautics & Space Admin
NBIS Nat'l NARC Border Interdiction
NCIS Naval Criminal Investigative Service
RCMP Royal Canadian Mounted Police
SBA Small Business Administration
USBP U.S. Border Patrol
USCS U.S. Customs Service
USDS U.S. Department of State
USPS U.S. Postal Service
USSS U.S. Secret Service
USTR U.S. Treasury
LOC Local
CITY City
COUN County
ST State
OTHR Other

JUDGMENT CODES

CJ Consent Judgment
CO Court Ordered Settlement
DF Default Judgment
DI Dismissal
JN Judgment Notwithstanding
MV Mixed Verdict
SJ Summary Judgment
VD Verdict for Defendant
VP Verdict for Plaintiff

JUDICIAL OUTCOME

AG Agreement
BR Barred/Removed
CC Civil Contempt
DC Disciplinary Charges
FI Fine
PI Preliminary Injunction
PR Temporary Restraining Order
PS Pre-filing Settlement
RN Restitution
SP Suspension
VR Voluntary Resignation
OT Other

SUBJECT PRIORITY

A Subject wanted for crimes of violence (i.e., murder, manslaughter, forcible rape) against another individual or convicted of such a crime in the past five years
B Subject wanted for crimes involving loss or destruction of property valued in excess of \$25,000 or convicted of such a crime in the past five years.
C All other subjects.

SUBJECT DESCRIPTION CODES

ORGANIZED CRIME SUBJECTS

1F Boss
1G Underboss
1H Consigliere
1J Acting Boss
1K Capodecina
1L Soldier

KNOWN CRIMINALS

2A Top Ten or I.O. Fugitive
2B Top Thief
2C Top Con Man

FOREIGN NATIONALS

3A Legal Alien
3B Illegal Alien
3C Foreign Official W/out
Diplomatic Immunity
3D U.N. Employee W/out
Diplomatic Immunity
3E Foreign Student
3F All Others

OTHERS

8A All Other Subjects
8B Company or Corporation

TERRORISTS

4A Known Member of a
Terrorist Organization
4B Possible Terrorist Member
or Sympathizer

UNION MEMBERS

5D President
5E Vice-President
5F Treasurer
5G Secretary/Treasurer
5H Executive Board Member
5I Business Agent
5J Representative
5K Organizer
5L Business Manager
5M Financial Secretary
5N Recording Secretary
5P Office Manager
5Q Clerk
5R Shop Steward
5S Member
5T Trustee
5U Other

GOVERNMENT SUBJECTS

6A Presidential Appointee
6B U.S. Senator/Staff
6C U.S. Representative/Staff
6D Federal Judge/Magistrate
6E Federal Prosecutor
6F Federal Law Enforcement Officer
6G Federal Employee - GS 13 & Above
6H Federal Employee - GS 12 & Below
6J Governor
6K Lt. Governor
6L State Legislator
6M State Judge/Magistrate
6N State Prosecutor
6O State Law Enforcement Officer
6Q State - All Others
6R Mayor
6S Local Legislator
6T Local Judge/Magistrate
6U Local Prosecutor
6V Local Law Enforcement Officer
6W Local - All Others
6X County Commissioner
6Y City Councilman

BANK EMPLOYEES

7A Bank Officer
7B Bank Employee

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

4/4/97

[redacted] was telephonically contacted and
provided the following information to SA [redacted]

[redacted]

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b7D

Investigation on 4/4/97 at Falls Church, Virginia (telephonically)

File # 46A-WF-179870, SUB UU-529

Date dictated

4/4/97

46A-WF-179870-UU-

by SA [redacted]

SEARCHED	INDEXED
SERIALIZED <i>kp</i>	FILED <i>kp</i>
APR 09 1997	
FBI - WASHINGTON FIELD OFFICE	

[Signature]

529

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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

03/19/97

***** CONVICTION/SENTENCING *****
SENSITIVE / UNCLASSIFIED

Case Number: 46A-WF-179870-UU
Serial No.:

Stat Agent Name:
Stat Agent SOC.:

Report Date: 03/19/1997
Accom Date.: 03/06/1997

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Does Accomplishment Involve	Assisting Joint Agencies	Assisting Agents SOC	Subject Name
Drugs : N			FITZPATRICK, JOHN, PHILLI
A Fugitive. : N			
Bankruptcy Fraud. : N			
Computer Fraud/Abuse. : N			RA Squad Task Force
Corruption of Public Officials: Y			-----
Forfeiture Assets : N			CRIM C9

Sub. Invest. Asst by Other FOs: CI

- 1 = Used, but did not help
- 2 = Helped, Minimally
- 3 = Helped, Substantially
- 4 = Absolutely Essential

b7E

Investigative Assistance or Technique Used

FINAN ANALYST	LAB DIV EXAMS	UCO-GROUP I	FT. MON-NRCS
AIRCRAFT ASST	LAB FIELD SUP	UCO-GROUP II	FOR. LANG ASST
COMPUTER ASST	PEN REGISTERS	UCO-OTHER	NON FBI LAB EX
CONSEN MONITR	PHOTO COVERGE	NCAVC/VI-CAP	
ELSUR/FISC	POLYGRAPH	CRIM INTEL AST	
ELSUR/III	SRCH WAR EXEC	CRIS NEG-FED	
ENG FIELD SUP	SHOW MONEY	CRIS NEG-LOC	
ENG TAPE EXAM	SOG ASST	ERT ASST	
LEGATS ASST.	SWAT TEAM	BUTTE-ITC	
EVIDNCE PURCH	TECH AG/EQUIP	SAVANNAH-ITC	
INFORMANT/CW	TEL TOLL RECS	POC-WRCS	

Date of Conviction (MM/DD/YYYY) : 03/06/1997
Date of Sentencing (MM/DD/YYYY) : 03/06/1997
Subject Description Code. :

b7E

Federal, Local, or International (F/L/I) : F
Felony or Misdemeanor (F/M) : F

Plea or Trial (P/T) : P
Judicial State. : DC
Judicial District : DC
Type of Sentence . . . : JS PB

	Year	Month	U. S. Code Violation(s)		
	----	-----	Title	Section	Counts
Time in Jail. . :	2		18	317	1
Time Suspended.:					
Probation Time.:	3				
Total Fines. . :\$		50			

Form FD-515a Side 2:
Investigative Efforts = N/A OR NONE
Subject's Role = N/A OR NONE
Scope = N/A OR NONE

Accomplishment Narrative

46A-WF-179870-UU
INDEXED
FILED

Memorandum



To : ADIC WFO [redacted] (P)

Date 4/4/97

b7D

From : SA [redacted] (C-9)

b6
b7C

Subject : [redacted]

b7D

Dates of Contact

File #s on which contacted (Use Titles if File #s not available)

46A-WF-179870, SUB UU

b7D

Purpose and results of contact

- ☐ NEGATIVE
☒ POSITIVE
☐ STATISTIC

(See attached FD-302)

Description of

Statistical Accomplishment

Title of Case

File No.

Information contained herein was obtained confidentially. The informant's name is not to be disclosed in any form unless a conscious decision has been made to disclose his/her identity by an appropriate FBI official.

PERSONAL DATA

1 -
1 -

1 - 46A-WF-179870, SUB UU

Init. CWS/cws

(3) - WFO

see reverse side for statistics

b7D

U.S. Department of Justice



Federal Bureau of Investigation

In Reply, Please Refer to
File No. 46A-WF-179870 SUB UU

601 Fourth Street, NW
Washington D. C. 20535

December 23, 1997

Mr. Theodore Jackson
Special Agent in Charge
Federal Bureau of Investigation
550 Main Street
Room 9000
Cincinnati, Ohio 45202

Dear Mr. Jackson:

I wanted to take this opportunity to commend the outstanding work of one of your Agents, [redacted]. The Washington Field Office (WFO) recently completed a major case which resulted in the convictions of former U. S. Congressman Donald E. "Buz" Lukens and Ohio businessman John P. Fitzpatrick for bribery and other offenses. Even though the case was prosecuted in Washington, D. C., the investigation required considerable support from the Cincinnati Division as both Lukens and Fitzpatrick were from Ohio and many of the conspiratorial acts occurred in Ohio. SA [redacted] was the "point man" who conducted a majority of the investigation necessary in Ohio.

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Over the course of the investigation, SA [redacted] handled numerous investigative leads including interviewing witnesses and collecting evidence. SA [redacted] also maintained liaison with a WFO cooperating witness (CW) whose testimony and guidance proved crucial to the case. SA [redacted] established a cordial relationship with the CW which helped keep the CW working with the FBI through some very stressful times. The CW also had several consensually recorded telephone and face-to-face conversations with [redacted] SA [redacted] coordinated these efforts. On one occasion, SA [redacted] located and organized several Cincinnati Agents at approximately 5:00 PM on a Friday afternoon to surveil and support a meeting between the CW and [redacted].

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1 - Addressee
1 - WFO (46A-WF-179870 Sub UU)
CWS:les

ALP Ted.let
WZ

46A-WF-179870-UU-531

[Handwritten signature]

During WFO's association with SA [] we found him to be extremely capable, dedicated, and professional. His assistance was very important to the success of the Lukens/Fitzpatrick case. You are fortunate to have an Agent of SA []'s abilities in your division and I want to convey me appreciation for a job well done.

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b7C

Very truly yours,

[]

Assistant Special Agent in Charge

U.S. Department of Justice



Federal Bureau of Investigation

In Reply, Please Refer to
File No. 46A-WF-179870 SUB UU

601 Fourth Street, NW
Washington D. C. 20535

December 23, 1997

Mr. Theodore Jackson
Special Agent in Charge
Federal Bureau of Investigation
550 Main Street
Room 9000
Cincinnati, Ohio 45202

Dear Mr. Jackson:

I wanted to take this opportunity to commend the valuable assistance provided to the Washington Field Office (WFO) by one of your employees, [redacted] WFO recently completed a major case which resulted in the convictions of former U.S. Congressman Donald E. "Buz" Lukens and Ohio businessman John P. Fitzpatrick for bribery and other offenses. Although the case was prosecuted in Washington, D. C., the investigation necessitated several trips to Cincinnati Division territory by WFO Case Agent [redacted] to cover numerous leads. While SA [redacted] was working in Ohio, [redacted] provided invaluable administrative assistance. Her assistance ranged from the coordination of record checks to arranging downtown parking for SA [redacted] when he had investigative leads in downtown Cincinnati. [redacted] also assisted on several occasions by searching for and locating information from closed Cincinnati Division case files from a previous case involving Fitzpatrick. Usually, this information was needed on short notice for pending court proceedings. Additionally, [redacted] provided valuable guidance regarding which Cincinnati Division personnel should be contacted for assistance in various areas such as technical services, ELSUR, criminal checks, and confidential informant files. When Lukens and Fitzpatrick were prosecuted, [redacted] continually sent WFO news clippings from the Cincinnati newspapers, so that WFO could monitor press coverage of the case.

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1 - Addressee
1 - WFO (46A-WF-179870 Sub UU)
CWS:les

Ted 2.1et

46A-WF-179870-4532

NCS

Over the course of the Lukens/Fitzpatrick case, []
[] always demonstrated the highest level of competence and professionalism. She responded to all of WFO's many requests with a cheerful positive attitude. []'s assistance definitely made SA []'s investigation much easier during his numerous trips to Ohio. You are fortunate to have an employee with []'s attitude and ability in your division. Please convey my sincere thanks to [] for her contributions to the successful resolution of the Lukens/Fitzpatrick case.

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Very truly yours,

[]

Assistant Special Agent in Charge

U.S. Department of Justice



Federal Bureau of Investigation

In Reply, Please Refer to
File No. 46A-WF-179870 SUB UU

601 Fourth Street, NW
Washington D. C. 20535

December 23, 1997

Mr. Theodore Jackson
Special Agent in Charge
Federal Bureau of Investigation
550 Main Street
Room 9000
Cincinnati, Ohio 45202

Dear Mr. Jackson:

I wanted to take this opportunity to commend the outstanding work of one of your Agents, [redacted] The Washington Field Office (WFO) recently completed a major case which resulted in the convictions of former U.S. Congressman Donald E. "Buz" Lukens and Ohio businessman John P. Fitzpatrick for bribery and conspiracy to defraud the U.S. Government among other offenses. Prior to WFO's case, the Cincinnati Division of the FBI also conducted an investigation into the activities of Fitzpatrick and SA [redacted] was the Case Agent. As a result, SA [redacted] developed a substantial amount of intelligence about Fitzpatrick, his associates, and their business which was used in WFO's case against Lukens and Fitzpatrick. Several of the witnesses identified through SA [redacted]'s investigation ended up testifying in the trials of Lukens and Fitzpatrick. Needless to say, without the information developed previously by SA [redacted] WFO's case would have been much more difficult.

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On behalf of the WFO Division, I would like to thank SA [redacted] for his excellent work and the assistance he provided to us. SA [redacted]'s efforts laid the groundwork for the successful resolution of WFO's case against Lukens and Fitzpatrick. Please convey my sincere gratitude to SA [redacted] for his fine work.

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1 - Addressee
1 - WFO (46A-WF-179870 Sub UU)
CWS:les

Very truly yours,

[redacted signature box]

Assistant Special Agent in Charge

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ACFA
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46A-WF-179870-4533

NGS

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 06/03/1998

To: Cincinnati

From: WFO

Squad C-9, NVRA

Contact: SA [redacted] (703) 762-3315

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Approved By: [redacted]

Drafted By: [redacted]

CWS

Saved under

Case ID #: 46A-WF-179870, SUB UU

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Title: BIG BOUNCE;
MAJOR CASE #55;
OO: WFO

FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS

ARMED AND DANGEROUS

Synopsis: Return of Cincinnati case files related to above-captioned matter.

Administrative: Re 4/4/95 airtel from Cincinnati to WFO and numerous other communications between the Cincinnati and WFO divisions.

Package Copy: Being forwarded under separate cover is one box containing Cincinnati case files CI 213A-11 and 213A-CI-58003.

Details: From approximately 1992 through 1997, WFO conducted an extensive investigation into criminal activities involving former U.S. Congressman DONALD E. "BUZ" LUKENS and Ohio businessman JOHN P. FITZPATRICK. LUKENS and FITZPATRICK were ultimately convicted of criminal charges including bribery and conspiracy. The case is currently in the process of being closed.

During the investigation, WFO requested that the Cincinnati Division allow WFO to borrow Cincinnati case files CI 213A-11 and 213A-CI-58003 as those files contained information relevant to WFO's case. The Cincinnati Division provided those case files, and they were received by WFO on 4/6/95. WFO agreed to return the Cincinnati files at the conclusion of the above-captioned case. WFO is now returning case files CI 213A-11 and 213A-CI-58003 to the custody of the Cincinnati Division. WFO appreciates Cincinnati's assistance in making available its case files.

46A-WF-179870-534

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 4 1998	
FBI - WASH. METRO FIELD OFFICE	

To: Cincinnati From: WFO
Re: 46A-WF-179870, SUB UU, 06/03/1998

ARMED AND DANGEROUS

CC: 3 - Cincinnati
 ① - WFO (46A-WF-179870, SUB UU)

♦♦

LAW OFFICES
SHAUGHNESSY, BOROWSKI & GAGNER
1155 FIFTEENTH STREET, N.W.
SUITE 502
WASHINGTON, D. C. 20005

IRWIN M. BOROWSKI
PHILIP A. GAGNER
BRIAN W. SHAUGHNESSY

(202) 371-2281
FAX (202) 371-9046

Special AUSA [REDACTED]
House Bank Task Force
Department of Justice
Room 2118
10th and Constitution, N.W.
Washington, D.C. 20530-0001

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May 16, 1995

BY FAX - (202) 616-2304, original by mail

Re: U.S. v. FITZPATRICK

Dear [REDACTED]

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This letter is in response to your letter of May 12, 1995 and your reply, on April 6, 1995 to our [REDACTED] letter.

It is quite disturbing, and detrimental to any reasonable preparation to defend the case at trial, that the Government keeps finding new boxes for us to peruse. Because you have deliberately kept the charges in the indictment vague, e.g. the the references to unspecified "matters involving CTI," we are required to analyze CTI's entire history of interaction with the Department of Education, the Ohio Department of Education, and other agencies of the Government. To perform this analysis we have searched the room full of documents provided to us and have extracted what we believed to be the relevant records regarding federal educational assistance. We then began to analyze the history of this assistance. This has taken considerable time and great effort.

It is more disturbing yet that the material which has apparently been withheld by the Government is precisely that which was presented to the Grand Jury. Although this may go a long way towards explaining the complete lack of incriminating evidence against John Fitzpatrick in the material we have reviewed, it also means, assuming the withheld material has any relevance to the case, that we must start anew in analyzing the information which we have received.

The documents that we have reviewed do not include much material which was given to the Department of Education, including many sheets of lender and student notifications, and stacks of refund checks. These were referred to in [REDACTED]'s report to the Department of Education, and we believe that the

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46A-WF-179870, SUB ULL 535

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 16 1995	
FBI - WASH. METRO FIELD OFFICE	

THE WASH. METRO FIELD OFFICE

May 16 '95 17:10 P.02

PC Fax:202-371-9046

Letter to AUSA [redacted]
May 16, 1995

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Government has possession of these and is withholding them, despite statements to the contrary in your April 6th letter such as your response to our request number 12. In any event, if these records formed any part of the basis of Ms. [redacted]'s report, and if the prosecution intends to use any part of this report or any summary of this report at trial, we are entitled to examine the underlying records.

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In your response to our [redacted] letter, you take the narrow view that material in the possession of the Government is to include only statements in the possession of the House Bank Task Force or in the FBI offices at Tysons Corner. We assume that you, as an attorney in the Public Integrity Section, are aware of the obligations of the prosecutor's office with respect to material in possession of the Government, but would remind you that your restricted view of what constitutes material in the possession of the Government is improper. As but one example, it appears from the Grand Jury testimony of [redacted] that [redacted]

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[redacted] Should those [redacted] still exist, in their original form, they are clearly exculpatory, yet they do not appear in any of the material we reviewed. Your office has supplied us with the Inspector General's report beginning "On September 19, 1990..." and [redacted]'s brief memorandum of December 5, 1990. It is unlikely that these are the only two documents produced as a result of the multiple interviews with Department of Education IG persons, and we are entitled to copies of the other documents relating to these events.

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You have stated that our request 18 is unclear. Please be advised that we have received information that one employee of the government investigation team has had a personal relationship with a witness in this case. To the extent that the FBI or your office is aware of such a relationship, we demand any and all records relating to it.

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In your reply to our request number 20, you state that all checks in the possession of the government have been shown to us. However, there appear to be checks written by CTI to the Department of Education during the period 1988 to 1990 for Pell refunds which are listed in the check vouchers and electronic listings, but copies of which were not provided.

Your denial of our request number 23 is somewhat surprising, in light of Mr. Fitzpatrick's claim that he was trying to get the Government to investigate the fraud. Any statement by Mr. Fitzpatrick to all employees of the FBI or the Department of Justice (including the United States Attorney's Office) would quite clearly fall within Rule 16, and should be discoverable by us. In addition, each such conversation is exculpatory of the defendant. Other than as a claim that the employees of the FBI or the United States Attorney's office are above a legal obligation to give exculpatory evidence at trial, should such evidence be otherwise admissible, it is difficult to discern a reason why their identities should be concealed. As an example, it is our understanding that an Assistant United States Attorney was interviewed for the CNN news broadcast after Mr. Fitzpatrick met with him and his agents. It is customary for Department of Justice personnel to make notes of such meetings, and we are entitled to have copies of those notes. We understand that you may be reluctant to have us speak with such individuals or to have federal prosecutors called as defense witnesses; but we are still entitled to their identities.

Letter to AUSA [redacted]
May 16, 1995

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From your denial of our requests numbers 24 and 25, we take it that none of the former employees of CTI are considered co-conspirators of the defendant, nor will the Government be offering their testimony on that basis. Should the contrary be true, we will object most strongly to any attempted use of such statements. Furthermore, in the course of our investigation, we have uncovered several statements of former CTI employees which were supplied to the Government, all of which are strongly exculpatory of the defendant and not all of which were provided to us in the material we reviewed. Perhaps this material and other material like it is contained in the boxes which have been withheld from our examination. If not, we renew the request.

With respect to your response to our request number 26, we do not have copies of the [redacted] transcript, and request that you make available all testimony from that trial in the possession of the Government.

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With respect to your response to our request number 29, we renew the request. In particular, our investigation has disclosed that [redacted] testified before the Grand Jury in this matter, and we have good cause to believe that her testimony was exculpatory of Mr. Fitzpatrick. In addition, if [redacted] testified, we have cause to believe that her testimony is exculpatory. Unless the Government is prepared to meet its [redacted] obligations fairly, we shall request that the District Court order that all transcripts of witnesses in the Grand Jury be provided to us. The same would apply to our request number 30. We have reviewed the FBI 302's provided in this case, and if these people testified at the Grand Jury in accordance with their FBI interviews, their testimony is without doubt exculpatory.

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With respect to your response to request number 30, it is the defense position that any testimony by any member of former Congressman Lukens' staff during which testimony the witness did not recall John Fitzpatrick or CTI, or in which the witness did recall such persons but did not recall any official act, would be exculpatory. The prosecution in the [redacted] case made the same response, i.e. that none of the testimony was exculpatory, yet the witness's testimony was in fact entirely exculpatory.

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For the reasons detailed in our request number 31, we are prepared to file appropriate motions to compel disclosure of the identities of informants. The requirements of Roviaro have been amply met in this case. Evidence such as the box of diskettes and bags of evidence given to the Government cannot be adequately analyzed without knowing the source of the material, supplied, according to the Government's own memoranda, by a "runner" for Henry Whitesell.

Your response to our request number 36 is either inadequate or incorrect, or you did not understand the request. Several persons involved in this case were informed that they were "targets" of the Grand Jury in connection with their testimony. This constitutes a threat of prosecution. We renew our request that you identify the persons to whom threats were made.

Your response to our request number 35 was not responsive. It is no secret that part of the defense in this case will be that Mr. Fitzpatrick was trying to get the Government to investigate the fraud perpetrated by Mr. Whitesell and his confederates. It is therefore of considerable import to the defense whether Whitesell's confederates obtained immunity or favorable treatment from the Government in connection with their activities. This is information of necessity available only to the Government, and we are entitled to its disclosure. To avoid the patent threat in such a notice, the targeted witnesses will tend to say whatever the prosecutor wants, to avoid prosecution. This is especially important in this case because prosecution was

Letter to AUSA [REDACTED]
May 16, 1995

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declined on the fraud case in 1992, yet reinstated two years later without the acquisition by the Government of any new evidence--indeed the Government has lost evidence which the witnesses went to great lengths to preserve to protect themselves from prosecution, and the witnesses who participated in the events well know that. Thus, Government threats to witnesses through the target mechanism are especially important.

From your response to our request number 43, we take it that the government will offer no evidence regarding Fed. R. Evid. 404 events. Please be advised that we will object to the presentation of any such evidence if offered, because, among other reasons, we have been deprived of the opportunity to investigate and rebut any such allegations.

Please be advised that this reply to your response is not exhaustive, and we have not waived any right to other material which we requested, nor have we consented to any delay or failure to provide the material requested in our original letter. During our last visit to the FBI headquarters, we marked several boxes of checks and other financial documents for copying. Special Agent [REDACTED] expressed his displeasure at the prospect of copying boxes wholesale, and said that the process may take some time. Should the prosecution relent and let us know what the specific charges are against Mr. Fitzpatrick, it is likely that much of the material which we requested (primarily financial information of CTI in the 1988-1989 period) would not be necessary. Otherwise, we will need the requested information promptly. In light of the undisclosed material, we will likely need further access to the material we have already reviewed, and we will certainly need sufficient time to analyze the material and investigate whatever facts or circumstances may be garnered from it.

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The Government's responses to our motions are due on May 22, 1995. We would hope that by that time you would reconsider your responses to our discovery letter and provide the requested information. Please be advised that, at the scheduled hearing on those motions, and particularly in light of whatever may be disclosed by the documents the Government has withheld, we may request further time to prepare for trial.

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pag/fti

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/18/95

[redacted] white female, DOB [redacted] POB [redacted]
[redacted] was interviewed at her place of employment, [redacted]
[redacted]
Hamilton, Ohio 45011, telephone number [redacted] is
a [redacted] for [redacted] She resides at [redacted]
[redacted] Middletown, Ohio 45044, telephone number [redacted]
[redacted] After being apprised of the identity of the interviewing
Agent and the nature of the interview, [redacted] furnished the
following information:

[redacted] advised that she worked for U.S. Congressman
DONALD E. "BUZ" LUKENS from 1987 through 1991, for the two terms
LUKENS spent in the U.S. House of Representatives. [redacted] was a
caseworker in LUKENS' district offices in Hamilton and
Middletown, Ohio. At one point, she was promoted to the position
of office manager in LUKENS' Middletown office when [redacted]
who was then the office manager, decided to cut back to part-time
employment. [redacted] informed that her husband was [redacted]
[redacted] Her husband casually
mentioned her to LUKENS for a job, and that led to her being
hired on LUKENS' staff.

[redacted] remembered being notified about LUKENS' arrest
on sex offense charges. She received a call that there was going
to be a very important meeting. The meeting was called by [redacted]
[redacted] LUKENS' District Representative. [redacted] came into the
office looking shocked. LUKENS was not with [redacted] told
the staff about LUKENS' arrest. [redacted] wanted LUKENS' employees
to have the opportunity to resign if they wanted to.

[redacted] commented that, during the 1960s, LUKENS had a
"following of women." She recalled that LUKENS married a woman
who was part Japanese. [redacted] thought the woman's name was
[redacted] but that she was called [redacted] thought LUKENS
got married and divorced while he was serving in the Ohio State
Senate.

Investigation on 9/26/95 at Hamilton, OhioFile # 46A-WF-179870, SUB UUby SA [redacted] Date dictated 10/18/95

46A-WF-179870, SUB UU

Continuation of FD-302 of [REDACTED], On 9/26/95, Page 2

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[REDACTED] recalled a constituent of LUKENS named JOHN FITZPATRICK. [REDACTED] remembered FITZPATRICK coming into LUKENS' Middletown office on one occasion. She thought FITZPATRICK might have come into the office to leave a message to have LUKENS call him. [REDACTED] recalled that FITZPATRICK was supposed to be a businessman, but that she was surprised at his appearance. [REDACTED] described FITZPATRICK as having an unkempt beard and a shabby appearance. Additionally, FITZPATRICK did not act like a businessman. [REDACTED] stated that she was not impressed by FITZPATRICK.

[REDACTED] thought FITZPATRICK may have called LUKENS' office a couple of times, or that someone may have called on FITZPATRICK's behalf. [REDACTED] recalled that FITZPATRICK wanted to talk to LUKENS. [REDACTED] advised that she called [REDACTED] in Washington, D.C., and left messages for LUKENS to call FITZPATRICK. [REDACTED] thought the calls between LUKENS and FITZPATRICK possibly related to a trip LUKENS was organizing to the Honduras.

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[REDACTED] was not aware of any financial relationship between LUKENS and FITZPATRICK. [REDACTED] did not recall LUKENS' office doing anything for FITZPATRICK. [REDACTED] advised that, if she had any contact with an agency on FITZPATRICK's behalf, there would be a file regarding the situation. If the matter was not ongoing when BOEHNER replaced LUKENS, the file would have been destroyed. [REDACTED] checked the appropriate records and determined that there was no file concerning FITZPATRICK in BOEHNER's Hamilton office. [REDACTED] could not recall anything else about FITZPATRICK besides the above-stated visit and telephone calls.

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[REDACTED] was asked about LUKENS campaign for re-election in 1990. [REDACTED] stated that some people stuck by LUKENS because they liked the way he voted on issues. [REDACTED] stated that she had no knowledge about money or funding issues pertaining to LUKENS' 1990 re-election campaign.

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[REDACTED] informed that [REDACTED] can be reached on [REDACTED] in Troy, Ohio, telephone number [REDACTED]. She advised that [REDACTED] is retired.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/18/95

[redacted] DOB [redacted] POB [redacted] was telephonically contacted at her place of employment, [redacted], Troy, Ohio 45373, telephone number [redacted] is a [redacted] [redacted] resides at [redacted] [redacted] Ohio 45331, telephone number [redacted]. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

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[redacted] advised that she worked for [redacted] [redacted] was the only employee in [redacted]. When DONALD

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"BUZ" LUKENS took KINDNESS's seat in the U.S. House of Representatives, [redacted] interviewed and was hired to work in LUKENS' Greenville office. [redacted] served in LUKENS' Greenville office from January, 1987, through January, 1991. [redacted] mentioned that, as part of her duties, she trained some of the other staffers that worked in LUKENS' district offices in Ohio.

[redacted] stated that she learned about LUKENS' arrest on sex offense charges when she read about it in the newspapers.

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[redacted] advised that LUKENS denied the charges against him. [redacted] remembered checking some of her records in an attempt to determine the truth of the matter. She checked her calendar for LUKENS and determined that he was supposed to be in Salina, Ohio, on the day of his arrest. LUKENS had cancelled the appointment in Salina and gone to Columbus, Ohio. Then the news of LUKENS' arrest appeared in the newspapers.

[redacted] stated that the news of LUKENS' arrest came as a complete surprise and was very embarrassing. [redacted] commented that she was shocked and not very happy when she heard the news.

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[redacted] stated that she initially believed that the allegations against LUKENS were false but later came to accept that LUKENS had committed the sex offense.

Investigation on 9/26/95 at Monroe, Ohio (telephonically)

File # 46A-WF-179870, SUB UU

by SA [redacted] Date dictated 10/18/95

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46A-WF-179870, SUB UU

Continuation of FD-302 of [REDACTED], On 9/26/95, Page 2

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[REDACTED] recalled that, after the sex scandal broke, LUKENS come into his Greenville office on his birthday. There was a brigade of reporters with LUKENS. Also accompanying LUKENS was his attorney and the attorney's wife. [REDACTED] remembered that LUKENS' attorney and his wife lived on a houseboat on the Potomac River outside Washington, D.C. [REDACTED] advised that LUKENS' attorney left him (LUKENS) alone with the reporters. [REDACTED] stated that LUKENS denied that the incident which led to his arrest on sex offense charges ever occurred. LUKENS then went to Salina and Van Wert, Ohio, and made statements that the sex offense never occurred.

[REDACTED] was asked about her involvement with LUKENS' 1990 primary election campaign. [REDACTED] recalled that LUKENS was running against KINDNESS and BOEHNER. She described the primary election as a "trying time" for her, [REDACTED]

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[REDACTED] commented that she basically "stayed out of politics" and said that she was not allowed to work on a campaign except after hours. [REDACTED] advised that she did not work with LUKENS' campaign staff and had no knowledge of the financial status of the campaign effort. [REDACTED] thought [REDACTED] may have been in charge of LUKENS' campaign.

[REDACTED] commented that LUKENS was "always broke" and stated that he had no concept of how to use his money. [REDACTED] stated that [REDACTED] two of LUKENS' staffers, had to dole out money to him and make him use it to buy clothes and other necessities.

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[REDACTED] had no recollection of a constituent named JOHN FITZPATRICK. She advised that, had FITZPATRICK contacted LUKENS' Greenville office, she would have referred him to LUKENS' district offices in either Middletown or Hamilton, Ohio. [REDACTED] stated that she had no knowledge of a telephone call on 4/25/90 from LUKENS' Greenville office to FITZPATRICK's residence. She speculated that LUKENS possibly made the call when he was in the Greenville office.

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[REDACTED] informed that old casefiles were only kept in LUKENS' Greenville office for a period of two years. The files were then shredded pursuant to Privacy Act concerns. [REDACTED] advised that any cases that were open at the time LUKENS left office would have been passed on to the new representative.

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46A-WF-179870, SUB UU

Continuation of FD-302 of [REDACTED], On 9/26/95, Page 3

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[REDACTED] was questioned about the subscriber to telephone number [REDACTED] did not know who held that telephone number in 1990.

[REDACTED] advised that she knew LUKENS' mother and sisters. [REDACTED] informed that one of LUKENS' sisters, [REDACTED] lived in the Washington, D.C., area and worked for a congressman. Another one of LUKENS' sisters lives in Springfield, Ohio. [REDACTED] advised that LUKENS' mother recently passed away.

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[REDACTED] informed that [REDACTED] was [REDACTED] and lived for a time with LUKENS in an apartment in Middletown, Ohio. [REDACTED] indicated that [REDACTED] may have current information on how to locate [REDACTED]

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[REDACTED] stated that she has not heard from LUKENS for a long time. She used to send a Christmas card to LUKENS each year. However, she did not hear from him last year.

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/19/95

[redacted] also known as [redacted] DOB [redacted] was contacted at her residence, [redacted] telephone number [redacted] LUKENS works for the [redacted] telephone number [redacted] She handles [redacted] After being advised of the identity of the interviewing Agent and the nature of the interview, LUKENS provided the following information:

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[redacted] (hereinafter referred to as [redacted]) advised that she met DONALD E. "BUZ" LUKENS (hereinafter referred to as D.E. LUKENS) in 1972. D.E. LUKENS was [redacted] years older than her. [redacted] was married to D.E. LUKENS in 1973. They separated around 1981 and were divorced in 1983. After the divorce, [redacted] and D.E. LUKENS stayed in contact "a little bit" by means of "a card here or there."

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[redacted] was asked if she remembered a man named JOHN FITZPATRICK and any association D.E. LUKENS may have had with FITZPATRICK or FITZPATRICK's business, CAMBRIDGE TECHNICAL INSTITUTE (CTI). [redacted] did not remember FITZPATRICK or CTI. She said she knew some FITZPATRICKs, but could not recall a JOHN FITZPATRICK. [redacted] could not recall attending or being invited to attend the wedding of JOHN and [redacted] FITZPATRICK. She mentioned that D.E. LUKENS was invited to a lot of weddings. [redacted] offered that, if she knew where the FITZPATRICKs were married and held their reception, she might be able to recall the wedding.

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[redacted] commented that the vast majority of people D.E. LUKENS associated with were his age. However, she stated that D.E. LUKENS was also very popular with young adults.

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[redacted] stated that she was very young and naive when she married D.E. LUKENS. She stated that she was very dependent on him. [redacted] advised that, during the last few years of their marriage, D.E. LUKENS was gone most of the time. [redacted] stated that she was lucky to see her husband once a month.

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Investigation on 10/2 and 4/95 at Falls Church, Virginia (telephonically)

File # 46A-WF-179870, SUB UU

by SA [redacted] Date dictated 10/19/95

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46A-WF-179870, SUB UU

Continuation of FD-302 of [REDACTED], On 10/2 and 4/95 2

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[REDACTED] advised that D.E. LUKENS' financial position was always poor while they were married. D.E. LUKENS was in the Ohio State Senate and was earning about \$12,000 per year. [REDACTED] was not working and was going to school. When D.E. LUKENS' father passed away, he (D.E. LUKENS) made a promise to his father that he would keep the family farm. [REDACTED] recalled that D.E. LUKENS borrowed money and bought the interests in the family farm that were held by his sisters. [REDACTED] stated that, to help their financial situation, D.E. LUKENS spent a large portion of his time away from home trying to earn money as a consultant. She advised that LUKENS was paid for consulting work on campaigns and for speaking engagements. [REDACTED] commented that outside work was permissible for a State Senator at that time. [REDACTED] also advised that D.E. LUKENS frequently borrowed money from friends to help his financial situation.

[REDACTED] was not aware of D.E. LUKENS accepting money or other gratuities under circumstances that she would consider improper. She was not aware of D.E. LUKENS accepting anything of value more extensive than allowing someone to buy him dinner.

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[REDACTED] advised that she paid for the divorce between herself and D.E. LUKENS. She informed that D.E. LUKENS owed her \$30,000 through the divorce settlement. D.E. LUKENS wrote bad checks to [REDACTED] to allegedly attempt to pay the money he owed her. After a period of time, [REDACTED] decided that trying to collect the money from D.E. LUKENS was not worth the trouble.

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[REDACTED] informed that D.E. LUKENS was a U.S. Congressman in the late 1960s. D.E. LUKENS left the U.S. House of Representatives in 1970 to run unsuccessfully for governor of the state of Ohio. [REDACTED] stated that D.E. LUKENS was not in any trouble when he left congress in 1970. When D.E. LUKENS lost the race for governor, he ended up taking the seat in the Ohio State Senate of the man who took his seat in the U.S. House of Representatives when he resigned to run for governor.

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[REDACTED] described D.E. LUKENS as a "clean freak" who was very meticulous. She stated that D.E. LUKENS was extremely organized and kept records on everything. D.E. LUKENS also kept a detailed diary.

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46A-WF-179870, SUB UU

Continuation of FD-302 of [REDACTED], On 10/2 and 4/95 3

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[REDACTED] advised that, prior to their marriage, D.E. LUKENS was very active in a young Republicans organization. [REDACTED] was very active in the young Republicans group.

[REDACTED] furnished the names of several individuals who were close to D.E. LUKENS. She informed that [REDACTED] were very close to D.E. LUKENS and had a power of attorney for him. The [REDACTED]s live in Seven Mile, Ohio, and [REDACTED] has an electrical business. [REDACTED] mentioned that [REDACTED] stood up for she and D.E. LUKENS at their wedding. [REDACTED] lives in Hamilton, Ohio. [REDACTED] who owns a trucking school, was close to D.E. LUKENS. [REDACTED] identified a [REDACTED] (last name unknown) as a former roommate of D.E. LUKENS. [REDACTED] advised that [REDACTED] from Middletown, Ohio, knew D.E. LUKENS. The [REDACTED]s both worked for ARMCO STEEL.

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[REDACTED] advised that [REDACTED] was D.E. LUKENS' legislative aide when LUKENS was in the Ohio State Senate. She said [REDACTED] is about [REDACTED] years old.

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(06/01/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 12/27/1995

To: ~~WMFO~~

From: Cleveland
Akron RA
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted] lc

Case ID #: 46A-WF-179870 (Closed)

Title: BIG BOUNCE;
MC 55

Synopsis: Subpoena served on [redacted]

Administrative: Re WMFO EC to CV dated 12/5/1995.

Enclosures: Enclosed for WMFO is the original executed subpoena dated 11/30/1995, served on [redacted] Also enclosed are the original and three copies of an FD-302 regarding service of the subpoena.

Details: Subpoena served on [redacted] on 12/21/1995.

♦♦

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46A-WF-179870 ucy-
HJR NJR 540

ES

267 200 100

United States District Court

FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

JOHN P. FITZPATRICK

SUBPOENA IN A CRIMINAL CASE

CASE NUMBER: 95-0042 GK

TO:

b6
b7C

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE

United States District Court House
Third and Constitution Avenues, N.W.
Washington, D.C. 20001

COURTROOM

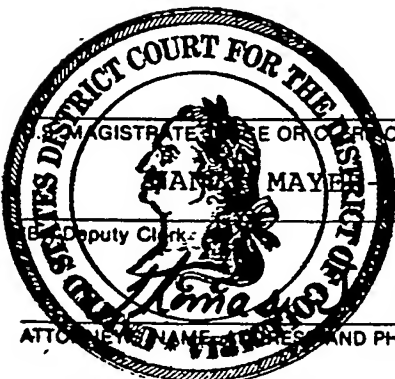
Courtroom 19
Sixth Floor

DATE AND TIME

Wednesday, January 3, 1996
9:00 am

☐ YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):

Please contact the prosecutor's office at (202) 616-2300 to ascertain the date of your appearance and to receive instructions regarding travel arrangements for your appearance.



MAGISTRATE CLERK OF COURT

NAME: MAYEE-WHITTINGTON

Deputy Clerk:

DATE

November 30, 1995

ATTORNEY NAME, ADDRESS, AND PHONE NUMBER:

William J. Corcoran, Senior Counsel
U.S. Department of Justice, House Bank Task Force Room 2212
Washington, D.C. 20530 (202) 616-2300

PROOF OF SERVICE		
RECEIVED BY SERVER	DATE 12/21/95	PLACE AKRON, OH.
SERVED	DATE 12/21/95	PLACE AKRON, OH.
SERVED ON (PRINT NAME) <div style="border: 1px solid black; height: 40px; width: 100%;"></div>		FEE AND MILEAGE TENDERED TO WITNESS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO AMOUNT \$ _____
SERVED BY (PRINT NAME) <div style="border: 1px solid black; height: 20px; width: 100%;"></div>		TITLE SA / FBI
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.</p>		
Executed on 12/21/95 Date		<div style="border: 1px solid black; height: 20px; width: 100%;"></div> Signature of Server FBI, AKRON, OH. Address of Server
ADDITIONAL INFORMATION		

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/27/95

A United States District Court Criminal Subpoena was served on [redacted] white female, date of birth [redacted] [redacted] SSAN: [redacted] at her residence, [redacted] Akron, Ohio, [redacted] advised that she was currently employed at [redacted] in North Canton, Ohio.

b6
b7C361004.302Investigation on 12/21/95 at Akron, OhioFile # 46A-WF-179870 SUB UUby SA [redacted] lc Date dictated 12/22/95b6
b7C

(06/01/1995)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 12/27/1995

To: WMFO

From: Cleveland

Akron RA

Contact: [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED] lc

Case ID #: 46A-WF-179870 (Closed)

Title: BIG BOUNCE;
MC 55

Synopsis: Subpoena served on [REDACTED]

Administrative: Re WMFO EC to CV dated 12/5/1995.

Enclosures: Enclosed for WMFO is the original executed subpoena dated 11/30/1995, served on [REDACTED]. Also enclosed are the original and three copies of an FD-302 regarding service of the subpoena.

Details: Subpoena served on [REDACTED] on 12/21/1995.

♦♦

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Automated Serial Permanent Charge-Out
FD-5a (1-5-94)

Date: 06/30/98 Time: 15:42

Case ID: 46A-WF-179870-UU Serial: 541

Description of Document:

Type : EC
Date : 01/09/96
To : WASHINGTON FIELD
From : WASHINGTON FIELD
Topic: FORMER CTI STUDENT [REDACTED], RECEIVING

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b7c

Reason for Permanent Charge-Out:

Inadvertently reserialized

Employee: [REDACTED]

(06/01/1995)

FEDERAL BUREAU OF INVESTIGATION**Precedence:** ROUTINE**Date:** 01/12/1996**To:** Theodore Jackson, SAC**From:** SA [REDACTED]
Squad 5**Approved By:** [REDACTED]**Drafted By:** [REDACTED]:skl**Case ID #:** 194-0**Title:** Robert Pond
Arnold "BUZZ" Lukens
Information concerning possible public corruption.**Synopsis:** Results of interview of [REDACTED] conducted by SA
[REDACTED] and SA [REDACTED]**Administrative:** re letter mailed to FBI from [REDACTED]**Enclosures:** Original and copies of [REDACTED]
[REDACTED]**Details:** On December 14, 1995, [REDACTED] was located
and interviewed at [REDACTED]
[REDACTED] by Special Agents [REDACTED] The
interview was a result of [REDACTED]
[REDACTED]b6
b7Cb6
b7C
b7Db6
b7C
b7Db6
b7C
b7D

(06/01/1995) TO: [REDACTED] SAC From: SA [REDACTED]
Re: NONE, 01/12/1996

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FEDERAL BUREAU OF INVESTIGATION



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b7D

The above is submitted for the information of the 194-0 file, no further investigation being conducted concerning this matter.

♦♦

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/7/96

A trial subpoena issued by the United States District Court for the District of Columbia, Washington, D.C. on February 6, 1996 was served on [REDACTED]
[REDACTED]

b6
b7CInvestigation on 2/7/96 at Manassas, VirginiaFile # 46A-WF-179870 SUB UU-546by SA [REDACTED] SA [REDACTED] Date dictated 2/7/96b6
b7C

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/7/96

A trial subpoena issued by the United States District Court for the District of Columbia, Washington, D.C. on February 6, 1996 was served on [REDACTED] at [REDACTED]
[REDACTED]

b6
b7CInvestigation on 2/7/96 at Washington, D.C.File # 46A-WF-179870 SUB UUby SA [REDACTED] SA [REDACTED] Date dictated 2/7/96b6
b7C

JOHN BOEHNER

Ohio's 8th District U.S. Representative

FAX

Republican Conference Chairman, Committees: Agriculture, House Oversight,
Economic and Educational Opportunities (on leave)

OFFICES: 1011 Longworth House Office Building, Washington, DC 20515
5617 Liberty Fairfield Road, Hamilton, Ohio 45011
12 South Plum Street, Troy, Ohio 45373

TO:

*ca*b6
b7c

FAX:

202/324-6426

PHONE:

202/324-6121

FROM:



JOHN BOEHNER



SCOTT McCOY



KAREN GOFF



KATE DAVIS



BARB TRUSTER

~~BOB SCHELLHAS~~

JEFF DOBROZSI



STEVE FELDMANN



HUNTER BOYD



GEORGE CANTY

PHONE: (202) 225-6205
FAX: (202) 225-0704

DISTRICT TOLL FREE: 1-800-582-1001
HAMILTON PHONE: (513) 894-6003
TROY PHONE: (513) 339-1524

Notes:

PAGES TO FOLLOW:

1

IF THERE IS A TRANSMISSION PROBLEM, PLEASE CALL: (202) 225-6205

550
46A-WF-179870 SUBBU

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 8 1998	
FBI - WASH. METRO FIELD OFFICE	

DB/US

DAILY STANDARD
2/21/90

Kindness Inquires Of Boehner What About Buz Loan?

HAMILTON, Ohio (AP) — Thomas Kindness has called on a Republican congressional opponent John Boehner to disclose details of personal loans Boehner made to U.S. Rep. Donald Lukens, R-Ohio, several years ago.

Last February, the Dayton Daily News reported that while he was a state senator, Lukens regularly borrowed money from fellow legislators and that Boehner had loaned him a total of \$2,000.

Both Kindness and Boehner, a state representative from West Chester, are seeking

the GOP nomination for Ohio's 8th congressional district seat, a post now held by Lukens.

Kindness said Tuesday the loans from Boehner weren't reported on Boehner's financial disclosure reports for that time period and that no amended reports have been filed to reflect the loans.

"The whole purpose of financial disclosure laws and rules for politicians is to inform the voters about who might have a financial influence over whom," Kindness said. "Was John Boehner attempting to hide his financial

relationship with Buz Lukens?"

Boehner defended the loan and said he simply forgot to list it on his financial disclosure report.

"Since then, I forgave the loan," he added.

Boehner said Lukens first approached him for a loan in March of 1983. He said Lukens had been undergoing chemotherapy for cancer and had blamed his inability to raise money on his health problems.

Lukens "was in horrible medical shape, and I felt sorry for the guy and wanted to try to help him out," Boehner said. "I think it's just a lot of noise about nothing. I try to help out a human being, and the loans are forgiven."

Asked if he planned to file an amended report that reflects the loan, Boehner said he doesn't see "any need to look at it any more."

Lukens hasn't announced whether he intends to seek reelection, but will file nominating petitions by tomorrow's deadline to keep his options open.

The congressman was convicted last May on a misdemeanor charge of contributing to the unruliness of a minor after a 16-year-old Columbus girl alleged she had had sexual relations with him. Lukens has appealed the conviction.

04-07-96 13:25 8914 1011 BANK PROTECTED 2006

Facsimile Cover Sheet

To: [REDACTED]

Company: FBI

Phone: 202-324-6121

Fax: 202-324-6426

From: [REDACTED]

Company: Bank One

Phone: 614-248-8913

Fax: 614-248-1679

Date: 3/7/96

Pages including this
cover page: 6

Comments: Please contact [REDACTED] (614) 248-8744, if
you have any questions regarding this payment history. Thank
you for your cooperation.

46A-WF-179870, SUB UU-551

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 08 1998	
FBI - WASH. METRO FIELD OFFICE	

DB/CS

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b7c

REPORT TO CL107
UNIT 00310 REG NUMB 001
OFFICER 58004

BANK ONE, COLUMBUS, NA
NOTE RECEAP
FOR PERIOD STARTING 07-05-89 ENDING 11-16-90

DATE PRODUCED 11-16-90 PAGE

015-449-112-D 0002-R LUKENS DONALD E

2110 LUKENS
18 CUMMINGS
11 C.H.O.S.
WASHINGTON DC

20915

00006 SERVICE UNIT
00006 ALLOCAT UNIT
58004 OFFICER
111 OBLIGAT TYPE
11 GEN LEDGER
123 FED CLASS
0001 SIC CODE
000 PURPOSE CODE
0286289734 TAX-SOC SEC
000000000 BDP NUMBER
2 RES UNIT
0 DISCOUNT

00010 TAKEN DOWN FROM
00000 RENEWED FROM
00000 RENEWED TO
00000 NUMBER RENEWALS
30,000.00 ORIG NOTE AMT
1 CREDIT SOURCE
1000 CREDIT RATING
U STATUS CODE
07-07-89 STATUS DATE
0 EXAMINER TYPE
4 EXAMINER CLASS
00-00-00 EXAMINER DATE

90-11 PRIME NO-CHG 07-05-85 EFFECTIVE
1.0000 PERCENT RELAT 11-07-85 POSTED
U.00000 FLOOR 00-00-00 MATURITY
92.99999 CEILING 00-00-00 CUM DEPT
30,000.00 ORIGINAL PRINCIPAL
92,203.77 CURRENT PRINCIPAL
54,843.72 INTEREST PAID 170
0.00 FEES CHARGED 170
0.00 FEES PAID 170
0.00 ADJUST TO EARN BID

NOTE HISTORY
OFF FROM POST TRAN DBID TRANS AMOUNT CURR OUTSTAND TYPE TO DATE RATE BASIS FARM / ELE CHRG

07-05-90	03-06-90	4021	1420	780.78-	92,875.12	INT PAYMENT
12-02-90	04-04-90	4041	1340	78.49-		PRIN PAY
07-04-90	04-04-90	4021	1420	920.51-	92,753.10	INT PAYMENT
04-02-90	05-02-90	4041	1340	110.02-		PRIN PAY
05-02-90	05-02-90	4021	1420	869.06-	92,653.52	INT PAYMENT
03-04-90	03-04-90	4041	1340	87.73-		PRIN PAY
04-04-90	05-04-90	4021	1420	319.52-	92,571.81	INT PAYMENT
07-09-90	07-09-90	4041	1340	111.61-		PRIN PAY
07-09-90	07-09-90	4021	1420	883.19-	92,426.67	INT PAYMENT
06-02-90	03-02-90	4041	1340	83.14-		PRIN PAY
11-02-90	208-02-90	4021	1420	916.06-	92,404.48	INT PAYMENT
09-04-90	09-04-90	4041	1340	04.19-		PRIN PAY
09-04-90	09-04-90	4021	1420	915.81-	92,289.93	INT PAYMENT
09-04-90	09-04-90	4041	1340	114.46-		PRIN PAY
09-04-90	09-04-90	4021	1420	885.51-		INT PAYMENT

ALP:10 CL:07
UNIT CUB10 REC NUMB 001
PAYER 56092

BANK ONE, COLUMBUS, NA
NOTE RECAP
FOR PERIOD STARTING 07-05-89 ENDING 11-16-90

DATE PRODUCED 11-16-90 PAGE 2

LID-409 112-0 0002-6 LUKENS DONALD E

EFT FROM		POST	TRAN	CRID	TRANS AMOUNT	NOTE HISTORY	CURR OUTSTAND	TYPE	TO DATE	RATE	BASIS	EARN / FEE CHG
1-05-90	11-05-90	4041	1340		86.22-		92,203.77	PAIN PAY				
1-05-90	11-05-90	4021	1420		913.78-			INT PAYMNT				

- 1254 -

52k

10-22-95 18,542.7 (2-05-93)

181-1 Philip Street

1970

March 23, 1996

[redacted]
Special Agent
Federal Bureau of Investigation
779 Leesburg Pike, Suite 200, South Tower
Falls Creek, Virginia 22043

Dear [redacted]

I am Louis Henry Whitesell's [redacted] I have been talking recently with [redacted] concerning the bribery trials of Representative Lukens and John Fitzpatrick. Jeff gave me your address and I hope you do not mind my writing to you. I want you to know that I and the rest of the [redacted] family, particularly my mother and Henry's other two children, deeply appreciate your continuing efforts to gather evidence and prosecute John Fitzpatrick. I hope that he will be convicted of bribery and also for his role in the scheme to defraud the Federal Government of Pell Grant funds. We are especially concerned, of course, that he be indicted and convicted for conspiring to have my brother murdered. There has never been any doubt in our minds but that Fitzpatrick was the primary agent in Henry's death. If you can discover any evidence that will enable your agency to pursue that charge, we will be able to resolve some of our anger, frustration, and grief and we will be forever grateful to you.

You might also be alert for any evidence that would implicate Henry's widow [redacted] (I believe she has remarried) in the murder conspiracy. She profited directly from his death in the form of \$670,000 in life insurance, clear title to their house and furnishings worth about \$500,000, and ownership of a Mercedes and a BMW. In addition, she knew that the high income from Henry's business to which she had become accustomed was about to be drastically reduced. She also knew that Henry planned to divorce her, according to conversations he had with my mother within 48 hours of his death. She failed to report my brother's absence the night or morning after he was killed, and I never saw her express the faintest sign of grief, remorse, or concern for anyone other than herself in the week following the shooting. She admitted to me that she spoke to John Fitzpatrick on the phone before turning the call over to Henry just before he left their house the evening of the murder. I realize this circumstantial evidence speaks only to possible motive, but I feel obliged to mention it.

If there is anything I can do to facilitate your investigation and prosecution of John Fitzpatrick, please call upon me. My office phone, e-mail address, and fax numbers are attached.

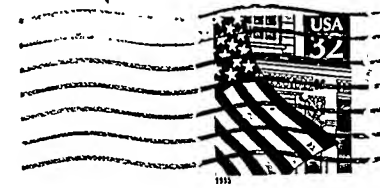
Sincerely yours,

[redacted]

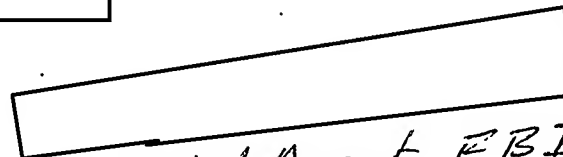
46A-WF-179870, SUB UU-552

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 23 1998	
FBI -- WASH. METRO FIELD OFFICE	

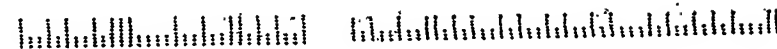
11B/118



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


Special Agent, FBI
779 Leesburg Pike, Suite 2000, South Tower
Falls Creek, VA.
22043



Hawai'i School University Partnership
Department of Education • University of Hawai'i
Kamehameha Schools Bishop Estate

College of Education, UES 103
1776 University Avenue
Honolulu, HI 96822

Telephone: 
FAX: (808) 956-5665
E-mail: @hawaii.edu

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b7C

FEDERAL BUREAU OF INVESTIGATION

Precedence: IMMEDIATE

Date: 02/11/1997

To: WF

Attn: SA [REDACTED]
NVRA

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b7C

From: Savannah ITC

Investigative Information Services Center (IISC)

Contact: [REDACTED] 912/944-0715

Approved By: [REDACTED]

Drafted By: [REDACTED] srj

Case ID #: 46A-WF-179870 SUB UU (Pending)

Title: JOHN PHILLIP FITZPATRICK
REQUEST# 91333

Synopsis: To report results of request submitted to Savannah ITC.

Details: IISC DATABASE PRINTOUTS HAVE BEEN SENT TO THE REQUESTER AND WILL BE MAINTAINED AS PERMANENT FILE MATERIAL IN THE OO CASE FILE.

Two copies of a reply form are being submitted with database printouts. It is requested that you record the accomplishments of this request on these forms, return one copy to the SITC, and maintain one copy as a serial in your case file.

Results of inquiries are set forth below:

SSN# 280-46-2510 is a valid social issued for the State of Ohio during the year 1964 and associated with **John P. Fitzpatrick**, with various addresses.

SSN# [REDACTED] is a valid social issued for the State of Ohio during the year 1970 and associated with [REDACTED] with various addresses. This female, DOB: [REDACTED] appears to spouse of your subject.

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Additional social searches reveal a [REDACTED] **SSN#** [REDACTED] DOB: [REDACTED] Tel# [REDACTED] who is also associated with your subject.

Address checks for John Fitzpatrick fail to confirm subject place of residency. However, a review of subject's credit header history reveal a 1/97 reference at **4420 Nelson Road, Middletown, OH, 45042.**

46A-WF-179870 SUB UU

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 10 1998	
FBI - WASH. METRO FIELD OFFICE	

DB/CS

To: WF From: Savannah ITC
Re: 46A-WF-179870 SUB UU, 02/11/1997

Property searches for the State of Ohio reveal [redacted]
[redacted] owner of property at [redacted]
[redacted] Further review reveal no additional property records
identified with John [redacted]

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A review of corporate records reveal a listing for **John Fitzpatrick** as CEO, **Bohecker's Business College, Inc., 326 E. Main Street, Ravenna, OH, 44266, Tel# 330/297-7319**. This company incorporated in the State of Ohio on 8/7/70 is a business college offering courses for associate degrees. 100% of the stock is owned by John Fitzpatrick.

Also included for your review are additional searches which may assist your investigation.

**THIS IS PERMANENT FILE MATERIAL
AND IS TO BE MAINTAINED IN
THE OO CASE FILE.**

♦♦



INVESTIGATIVE INFORMATION REQUEST FORM

FBI, Savannah Information Technology Center

220 East Bryan Street
Savannah, Georgia 31401

- Commercial Telephone or FTS: (912) 944-0824 thru 0828
- FAX: (912) 231-1076 and (912) 231-0974
- Secure FAX & STU III: (912) 231-1075

ITC Use Only: SITC Record #: 91333
 Date/Time In: 2/11/97 10:53 ☐ am ☐ pm
 Date/Time Out: 2-11-97 12:05 ☐ am ☐ pm
 Database(s) Used:
 1. EQ 5. AN 9.
 2. TL 6. CDB 10.
 3. TEW 7. DN 11.
 4. MN 12.
 Handled By:

TO: FBI, SAVANNAH INFORMATION TECHNOLOGY CENTER

mc 55

Date: 2/11/97
 Forfeiture/Seizure Related: ☐ Type of Request: ☒ FAX ☐ Telcal ☐ Mail Reply: ☐ FAX ☐ Telcal ☐ Mail
 Requestor: SA [redacted] Phone #: (202) 519-6357 FAX #: (202) 324-6426 UCFN: 46A-WF-179870 Sub
 Office/RA: WFO - NVRA Precedence: ☐ ROUTINE ☐ PRIORITY ☒ IMMEDIATE (2 hrs)
 Approximate turnaround times (48 hrs) (24 hrs) (2 hrs)

SEARCH CRITERIA (Attach additional sheets if necessary)

Name - Last: FITZPATRICK First: JOHN Middle: PHILLIP
 Alias: Sex: M DOB1: 2/27/55 DOB2: 1/1/
 SSAN1: 280-46-2510 SSAN2: Spouse: State:
 Fugitive: ☐ Yes ☐ No Driver's License #:

RESIDENCE

Street Address: 4420 Nelson Road City/State: Middletown, OH Zip: 45042 Phone: (513) 425-7388
(513) 425-0741

BUSINESS

Business Name: Street Address:
 City/State: Zip: Phone: Business ID#:

CHECK DESIRED SEARCH PARAMETERS (Please check only those that are needed)

- ☒ 1. Specific Information Desired Need to know whether FITZPATRICK owns house at 4420 Nelson Road or any other significant assets
- ☐ 2. Determine All Individuals Associated with Social Security Number(s)
- ☐ 3. Report Validity of Social Security Number
- ☐ 4. Determine Who is Associated with Telephone Number(s)
- ☐ 5. Determine Address of Business/Person (U.S. State(s))
- ☒ 6. Determine Property Owned by Individual (U.S. State(s))
- ☒ 7. Determine Who Owns Property Listed Above
- ☒ 8. Determine Who Resides at Address Listed Above
- ☐ 9. Determine Financial Background Info, i.e., Bankruptcy, Judgements, Liens, UCC filings, or Lawsuits
- ☐ 10. Determine Corporate Business Info, i.e., Officer, Director, Registered Agent (Person/Business)
- ☐ 11. Customs Border Crossings / Subject query / I-94 info (circle one)
- ☐ 12. Federal Prison Inmate Information
- ☐ 13. Telemarketing Complaints

Need info for court hearing at 1:45 p.m. today (2/11/97) Please pag SA [redacted] at (202) 519-6 with result of prof search

Reply From: FBI, Savannah Information Technology Center (SITC)

Return Reply To: SAC, ADEC, WFO (46A-WF-179870 Sub 44)
 Attention: SA [redacted]

Based on search criteria, marked records are attached:

- ☒ Possible Identifiable Records
- ☒ Brief Synopsis of Information Found
- ☒ Other Peripheral Information
- ☐ No Information Found

***** TRANS UNION CONSUMER CREDIT REPORT *****
* SAVANNAH INFORMATION TECHNOLOGY CENTER *
*
***** Dept: RETRACE / Queued by: SUPERVISOR *****

DATE:02-11-1997 TIME:10:11:28 SUBJECT ID:

I FITZPATRICK,JOHN,,,*
4420,,NELSON,RD,MIDDLETOWN,OH,45042,*
*

TRANS UNION RETRACE REPORT

<FOR>	<SUB NAME>	<MKT SUB>	<INFILE>	<DATE>	<TIME>
(I) QHQ2870625	INFO CENTER	25.DY		02/11/97	09:07CT

<SUBJECT>
FITZPATRICK, JOHN P.

<SSN>
280-46-2510

<CURRENT ADDRESS>
4420 NELSON RD., MIDDLETOWN OH. 45042

<DATE RPTD>
11/96

E N D O F R E - T R A C E R E P O R T

COPYRIGHTED TRANS UNION 1994

GO

*** END OF REPORT ID: 02-11-1997/10:11:28 (ORN: 9) [B-0/F-0/P-0/O-0] ***

***** EQUIFAX DTEC *****
* FBI - SAVANNAH PUBLIC SOURCE INFORMATION GROUP *
*
***** Dept: TRAILS / Queued by: SUPERVISOR *****

DATE:02-11-1997 TIME:10:08:22 SUBJECT ID:DTEC

DTEC-280-46-2510.

SSN ISSUED -64 STATE ISSUED-OH

M1 OF 1 NM-FITZPATRICK,JOHN,P CA-4420,NELSON,RD,MIDDLETOWN,OH,45042,01/97
FA-1310,WOODBEND,RD,RAVENNA,OH,44266,11/96
SS-280-46-2510 &

END OF REPORT EQUIFAX AND AFFILIATES - 02/11/97

*** END OF REPORT ID: 02-11-1997/10:08:22 (ORN: 6) [B-0/F-0/P-0/O-0] ***

***** TRANS UNION TRACE *****
* FBI - SAVANNAH PUBLIC SOURCE INFORMATION GROUP *
*
***** Dept: TRAILS / Queued by: SUPERVISOR *****

DATE:02-11-1997 TIME:10:11:18 SUBJECT ID:TRACE

TRCE 280462510

TRANS UNION TRACE REPORT

QHO2870232

15 SC

02/11/97 9:07CT

* SOCIAL SECURITY NUMBER TRACE *

280-46-2510

NAME/SPOUSE
ADDRESS

SSN OWNER
ADDR RPT DATE

1. FITZPATRICK, JOHN P
4420 NELSON RD., MIDDLETON OH. 44408

SUBJECT
04/96

2. FITZPATRICK, JOHN P
326 E. MAIN ST., RAVENNA OH. 44266
1310 WOODBEND RD., RAVENNA OH. 44266
3436 BILTZ RD., KENT OH. 44240

SUBJECT
10/96

3. FITZPATRICK, JOHN P
4420 NELSON RD., MIDDLETOWN OH. 45042

SUBJECT
11/96

END OF NETWORK TRACE

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GO

*** END OF REPORT ID: 02-11-1997/10:11:18 (ORN: 7) [B-0/F-0/P-0/O-0] ***

***** TRW SOCIAL SEARCH *****
* FBI - SAVANNAH PUBLIC SOURCE INFORMATION GROUP *
*
***** Dept: TRAILS / Queued by: SUPERVISOR *****

DATE:02-11-1997 TIME:10:12:47 SUBJECT ID:SOCIAL SEARCH

9-280462510,V-06/042/6.30

PAGE 1 DATE 2-11-97 TIME 9:12:58 PCB44 V601

JOHN P FITZPATRICK SS: 280-46-2510
326 E MAIN ST 284-46-2510*
RAVENNA OH 44266-3136 YOB: 1955
RPTD: 10-91 TO 10-96 SP: M

1310 WOODBEND RD
RAVENNA OH 44266-8713
RPTD: 10-96

4420 NELSON RD
MIDDLETOWN OH 45042-2973
RPTD: 11-88 TO 7-96

3436 BILTZ RD
KENT OH 44240-6714
RPTD: 4-94 TO 11-95

END -- TRW SOCIAL SEARCH

*** END OF REPORT ID: 02-11-1997/10:12:47 (ORN: 8) [B-0/F-1/P-4/O-0] ***

Missing Links - Address Search - Level 2

Date: 2/11/97

Reference: sitc

Search Criteria: 4420 NELSON

Time: 7:32 AM
Requestor: 000

1 Name:
Soc. Sec. Number:

Current Address:

Date Reported:

2 Name:
Soc. Sec. Number:

FITZPATRICK, JOHN P
280-46-2510

Current Address:

4420 NELSON RD
MIDDLETOWN, OH 45042
03/96

Date Reported:

3 Name:
Soc. Sec. Number:

Current Address:

Date Reported:

Previous Address:

Date Reported:

Previous Address:

4 Name:

Current Address:

Date Reported:

End of search.

b6
b7c

Missing Links - Address Search

Date: 2/11/97

Reference: sitc

Search Criteria: 4420 NELSON

Time: 7:32 AM
Requestor: 000

Item	Name	Curr/ Prev Address	Soc.Sec.No.
1			
2	FITZPATRICK, JOHN P	C 4420 NELSON RD	280-46-2510
3			
4			

End of search.

Missing Links - Address Search

Date: '2/11/97

Reference: sitc

Search Criteria: 326 MAIN

Time: 8:11 AM
Requestor: 000

Item	Name	Curr/ Prev	Address	Soc.Sec.No.
1	FITZPATRICK, JOHN P	P	326 E MAIN ST	280-46-2510

2

b6
b7c

End of search.

Missing Links - Address Search - Level 3



Date: '2/11/97

Reference: sitc

Search Criteria: FITZPATRICK

Time: 8:13 AM
Requestor: 000

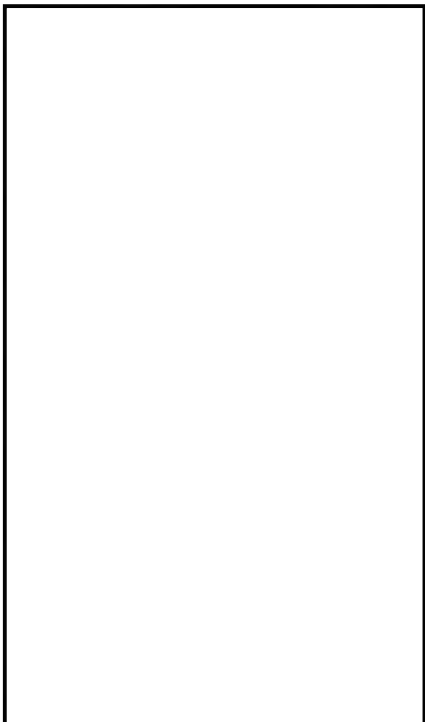
The following Missing Links report is a combined report based on data from a major consumer reporting agency and publishers mailing records information. Data from the publishers mailing records will be indicated with a "P".

1 Name: FITZPATRICK, JOHN P
Soc. Sec. Number: 280-46-2510
Year of Birth: 1955
File Creation Date: /
Employer: BOHECKERS BUS COLLEGE
Occupation: OWNER PRESIDENT
Current Address: 1310 WOODBEND RD
RAVENNA, OH 44266
Date Reported: 10/96
Property Owner: 
Address: 
Previous Address: 3436 BILTZ RD
KENT, OH 44240
Date Reported: 11/95
Previous Address: 326 E MAIN ST
RAVENNA, OH 44266

b6
b7C

Neighborhood Information

Based on the Current Address as Identified Above
Combined Consumer Reporting Agency and Publishers Mailing Records Information
C = Consumer Reporting Agency P = Publishers Mailings Records

(C)		PHONE NUMBER: UPDATED: 03/95
(C)		PHONE NUMBER: UPDATED: 09/93
(C)		PHONE NUMBER: 297-5835 UPDATED: 09/94
(C)		PHONE NUMBER: 326-3185 UPDATED: 08/93
(C)		PHONE NUMBER: 775-8557 UPDATED: 10/91
(C)		PHONE NUMBER: 775-8557 UPDATED: 10/91

b6
b7C

Missing Links - Address Search - Level 3

Date: 2/11/97
 Reference: sitc
 Search Criteria: FITZPATRICK

Time: 7:37 AM
 Requestor: 000

The following Missing Links report is a combined report based on data from a major consumer reporting agency and publishers mailing records information. Data from the publishers mailing records will be indicated with a "P".

1 Name: FITZPATRICK, JOHN P
 Soc. Sec. Number: 280-46-2510
 State Issued: OHIO
 Year Issued: 1964 - 1965
 File Creation Date: 04/96

 Current Address: 4420 NELSON RD
 MIDDLETOWN, OH 45042
 Date Reported: 03/96

 Property Owner:
 Address:

b6
 b7C

Neighborhood Information

Based on the Current Address as Identified Above
 Combined Consumer Reporting Agency and Publishers Mailing Records Information
 C = Consumer Reporting Agency P = Publishers Mailings Records

(C)		PHONE NUMBER: 424-5730 UPDATED: 04/95
(C)		PHONE NUMBER: 423-0296 UPDATED: 04/95
(C)		PHONE NUMBER: 423-0296 UPDATED: 09/94
(C)		PHONE NUMBER: UPDATED: 03/96
(C)		PHONE NUMBER: 422-5527 UPDATED: 01/92
(C)		PHONE NUMBER: 422-5527 UPDATED: 02/93
(C)		PHONE NUMBER: UPDATED: 04/87
(C)		PHONE NUMBER: UPDATED: 09/93

b6
 b7C

LEVEL 1 - 1 OF 2 DOCUMENTS

* * * THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY * * *

PERSON LOCATOR

Name: FITZPATRICK, JOHN

Current Address: 4420 NELSON ROAD, MIDDLETON, OH 44408

On File Since: 5/1/1996

LEVEL 1 - 2 OF 2 DOCUMENTS

* * * THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY * * *

PERSON LOCATOR

Name: FITZPATRICK, JOHN P

Current Address: 3436 BILTZ ROAD, KENT, OH 44240

Previous Addresses: 4420 NELSON ROAD
MIDDLETON, OH 44408326 E MAIN STREET
RAVENNA, OH 44266

Birthdate: 2/1955

Telephone Number: 297-7077

On File Since: 12/1/1983

Now Requesting SSN Data.... Please Wait...

Seq	Name(s) & Address(s)			
	FITZPATRICK, JOHN P	280-46-2510	00/00/00 (000)	000-0000
1)	4420 NELSON RD	MIDDLETON	OH 44408	DT:04/96

	FITZPATRICK, JOHN P	280-46-2510	00/00/00 (000)	000-0000
2)	4420 NELSON RD	MIDDLETOWN	OH 45042	DT:11/96

	FITZPATRICK, JOHN P	280-46-2510	00/00/00 (000)	297-7077
3)	326 E MAIN ST	RAVENNA	OH 44266	DT:10/96
4)	1310 WOODBEND RD	RAVENNA	OH 44266	DT:00/00
5)	3436 BILTZ RD	KENT	OH 44240	DT: /

Issued in Ohio

This information may be used only for DCS' customers, or customer's client's exclusive use, and such customers and customer's clients are required to hold the information in strict confidence and shall not disclose it to 3rd parties.

SSN Options:

Cost of this SSN is \$4.50

Enter Sequence (#,s) or <Enter> to Continue:

Alt-Z FOR HELP | ANSI | FDX | 9600 E71 | LOG CLOSED | PRINT OFF | ON-LINE

FBI - Washington | DCS National Inquiry System | Copyright (c) 1994-97
Time\Date: 11:23 02/11/97 | Personal Profile Report | DCSI (Ver3.0)

Name. . . . : FITZPATRICK, JOHN P
Address . . . : 3436 BILTZ RD
City, St Zip: KENT, OH 44240

Physical Characteristics:

Telephone # :

D/L Number. : UnKnown

Sex . : Male
Race. : UnKnown
Height: 0'00"
Weight: 000 lbs
D-O-B : 02/00/55
Validated: 96-01

----- Previous Known Address -----

Personal Profile Options:

Cost of this PP is \$3.00

Enter (A)ddress, (F)lag, (S)SN, (V)ehicles, (M)VR, (P)roperty or E(x)it:

Alt-Z FOR HELP | ANSI | FDX | 9600 E71 | LOG CLOSED | PRINT OFF | ON-LINE

Registered Voter Profiles - By Voter's Name

Date: 2/11/97

Time: 9:06 AM

Reference: sitc

Requestor: 000

Search Criteria: FITZPATRICK JOHN P OH

1 Name: FITZPATRICK JOHN P
 Residence Address: 4420 NELSON RD
 MIDDLETOWN, OH 45042
 County: BUTLER
 Voter Registration No.: UKP0181
 Birth Date: 02/27/55
 Gender: MALE
 Party: DEMOCRAT
 Head of Household: FITZPATRICK JOHN P
 Other Household Member(s):

b6
b7C

2 Name: FITZPATRICK JOHN P
 Residence Address: 2387 FLORA ST #3
 CINCINNATI, OH 45219
 County: HAMILTON
 Voter Registration No.: IBP0112
 Birth Date: 01/18/68
 Gender: MALE
 Head of Household: FITZPATRICK JOHN P

End of search.

Registered Voter Profiles - By Voter's Name

Date: 2/11/97

Time: 8:47 AM

Reference: sitc

Requestor: 000

Search Criteria: FITZPATRICK MARWA OH

1 Name:

Residence Address:

b6
b7C

County:

BUTLER

Voter Registration No.:

UKP0182

Birth Date:

02/23/55

Party:

DEMOCRAT

Head of Household:

FITZPATRICK JOHN P

Other Household Member(s):

End of search.

Date: 2/11/97
Reference: sitc
Search Criteria: FITZPATRICK JOHN P

Time: 7:43 AM
Requestor: 000

	TYPE	NAME	PROPERTY ADDRESS	CITY	COUNTY
1	OWNR	FITZPATRICK JOHN	276 MANOR DR	COLUMBIANA	COLUMBIANA
2	OWNR	FITZPATRICK JOHN	27109 NORTH ALY	NORTH GEORGE	COLUMBIANA
3	OWNR	FITZPATRICK JOHN	4004 BURGER AVE	CLEVELAND	CUYAHOGA
4	BUYR	FITZPATRICK JOHN	616 9TH ST		FRANKLIN
5	BUYR	FITZPATRICK JOHN	1560 GENOA PL		FRANKLIN
6	BUYR	FITZPATRICK JOHN	867 OXLEY RD		FRANKLIN
7	BUYR	FITZPATRICK JOHN	MARSOL AVE		FRANKLIN
8	BUYR	FITZPATRICK JOHN	3758 PLEASANTBR		FRANKLIN
9	OWNR	FITZPATRICK JOHN	527 ROOT RD		LORAIN
10	OWNR	FITZPATRICK JOHN	2947 CLEVELAND	LORAIN	LORAIN
11	OWNR	FITZPATRICK JOHN	CLEVELAND BLVD		LORAIN
12	OWNR	FITZPATRICK JOHN	3732 SR 611		LORAIN
13	OWNR	FITZPATRICK JOHN	228 HAWTHORNE S	ELYRIA	LORAIN
14	OWNR	FITZPATRICK JOHN	5774 OTTEN RD		LORAIN
15	OWNR	FITZPATRICK JOHN	2345 ALLIANCE R	ATWATER	PORTAGE
16	OWNR	FITZPATRICK JOHN	720 MELCHOIR PL	CANTON	STARK
17	BUYR	FITZPATRICK JOHN	2203 RADFORD ST	NORTH CANTON	STARK
18	OWNR	FITZPATRICK JOHN	1067 SHANNON AV	BARBERTON	SUMMIT
19	OWNR	FITZPATRICK JOHN	13991 HATFIELD	RITTMAN	WAYNE
	TYPE	NAME	PROPERTY ADDRESS	CITY	COUNTY

20 OWNR
21 OWNR
22 OWNR
23 OWNR
24 OWNR
25 OWNR
26 OWNR
27 OWNR
28 OWNR
29 OWNR
30 OWNR
31 OWNR
32 OWNR
33 OWNR
34 OWNR
35 BUYR
36 OWNR
37 OWNR
38 BUYR
39 BUYR
40 OWNR
41 OWNR
42 OWNR
43 OWNR
44 OWNR

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45	OWNER					
46	OWNER					
47	OWNER	FITZPATRICK	JOAN A	4010	SAINT JOHN CINCINNATI	HAMILTON
48	OWNER	FITZPATRICK	JOHN	276	MANOR DR COLUMBIANA	COLUMBIANA
49	OWNER	FITZPATRICK	JOHN	27109	NORTH ALY NORTH GEORGE	COLUMBIANA
50	OWNER	FITZPATRICK	JOHN	4004	BURGER AVE CLEVELAND	CUYAHOGA
51	BUYR	FITZPATRICK	JOHN	616	9TH ST	FRANKLIN
52	BUYR	FITZPATRICK	JOHN	1560	GENOA PL	FRANKLIN
53	BUYR	FITZPATRICK	JOHN	867	OXLEY RD	FRANKLIN
54	BUYR	FITZPATRICK	JOHN		MARSOL AVE	FRANKLIN
55	BUYR	FITZPATRICK	JOHN	3758	PLEASANTBR	FRANKLIN
56	OWNER	FITZPATRICK	JOHN	527	ROOT RD	LORAIN
57	OWNER	FITZPATRICK	JOHN	2947	CLEVELAND LORAIN	LORAIN
58	OWNER	FITZPATRICK	JOHN		CLEVELAND BLVD	LORAIN
59	OWNER	FITZPATRICK	JOHN	3732	SR 611	LORAIN
60	OWNER	FITZPATRICK	JOHN	228	HAWTHORNE S ELYRIA	LORAIN
61	OWNER	FITZPATRICK	JOHN	5774	OTTEN RD	LORAIN
62	OWNER	FITZPATRICK	JOHN	2345	ALLIANCE R ATWATER	PORTAGE
63	OWNER	FITZPATRICK	JOHN	720	MELCHOIR PL CANTON	STARK
64	BUYR	FITZPATRICK	JOHN	2203	RADFORD ST NORTH CANTON	STARK
65	OWNER	FITZPATRICK	JOHN	1067	SHANNON AV BARBERTON	SUMMIT
66	OWNER	FITZPATRICK	JOHN	13991	HATFIELD RITTMAN	WAYNE
67	BUYR					
68	OWNER					
69	OWNER					
70	OWNER					
71	BUYR					

End of search.

ML0130310
DCFBIWAX4
MESSAGE AT 0956 ON 2/11/97 ACCEPTED

DR. OHOLN0000
07:58 02/11/97 02877
07:58 02/11/97 00215 DCFBIWAX4
TXT

FITZPATRICK, JOHN P
326 EAST MAIN ST , RAVENNA , OH 44266
SEX/M. DOB/022755. HGT/505. WGT/145. HAI/BRO. EYE/BRO.
SOC/280462510. OLN/RM940915. OLT/OPERATOR. EXP 022700
RSTR: NONE
STATUS: VALID

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IN DATE

DUNS: 06-891-3961	DATE PRINTED	SUMMARY
BOHECKER'S BUSINESS COLLEGE INC	FEB 11 1997	RATING ER5
326 E MAIN ST	BUSINESS COLLEGE	STARTED 1986
RAVENNA OH 44266	SIC NO.	EMPLOYS 26
TEL: 330 297-7319	82 44	HISTORY CLEAR
		FINANCING SECURED

CHIEF EXECUTIVE: JOHN FITZPATRICK, CEO

=====

* * * CUSTOMER SERVICE * * *

=====

If you need any additional information, would like a credit recommendation, or have any questions, please call our Customer Service Center at (800) 234-3867 from anywhere within the U.S. From outside the U.S., please call your local D&B office.

=====

* * * SUMMARY ANALYSIS * * *

=====

The Summary Analysis section reflects information in D&B's file as of February 10, 1997.

RATING SUMMARY

Those businesses which do not lend themselves to a D&B Rating are assigned an Employee Range designation (ER) which indicates size in terms of number of employees. An ER5 indicates an employee range from 20 to 49.

Below is an overview of the company's D&B Rating(s) since 01/01/91:

RATING	DATE APPLIED
-----	-----
ER5	01/01/91

=====

* * * PAYMENT SUMMARY * * *

=====

The Payment Summary section reflects payment information in D&B's file as of the date of this report.

D&B has not received a sufficient sample of payment experiences to establish a PAYDEX score.

Below is an overview of the company's dollar-weighted payments, segmented by its suppliers' primary industries:

	TOTAL RCV'D	TOTAL DOLLAR AMOUNTS	LARGEST HIGH CREDIT	% W/IN TERMS	DAYS SLOW			
	#	\$	\$	%	<31	31-60	61-90	91+
Total in D&B's file	3	1,250	750					
Payment By Industry:								
1 Air courier service	1	750	750	50	-	-	50	-
2 Misc business credit	1	250	250	100	-	-	-	-
3 Newspaper-print/publ	1	250	250	-	-	-	100	-
Other Payment Categories:								
Cash experiences	0	0	0					
Payment record unknown	0	0	0					
Unfavorable comments	0	0	0					
Placed for collection								
with D&B	0	0						
other	0	N/A						

The highest "Now Owes" on file is \$250
The highest "Past Due" on file is \$100

D&B receives over 220 million payment experiences each year. We enter these new and updated experiences into D&B Reports as this information is received.

=====

PAYMENTS (Amounts may be rounded to nearest figure in prescribed ranges)

Antic - Anticipated (Payments received prior to date of invoice)
Disc - Discounted (Payments received within trade discount period)
Ppt - Prompt (Payments received within terms granted)

REPORTED	PAYING RECORD	HIGH CREDIT	NOW OWES	PAST DUE	SELLING TERMS	LAST SALE WITHIN
01/97	Ppt-Slow 90	750	250	100		1 Mo
12/96	Slow 90	250	-0-	-0-	N30	6-12 Mos
11/96	Ppt	250	250	-0-		1 Mo

* Payment experiences reflect how bills are met in relation to the terms granted. In some instances payment beyond terms can be the result of disputes over merchandise, skipped invoices etc.

* Each experience shown represents a separate account reported by a supplier. Updated trade experiences replace those previously reported.

=====

FINANCE

09/25/96 On SEP 25 1996 [] president, declined all information.

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* * * UCC FILING(S) * * *

FILING NO:	AE83340	DATE FILED:	07/22/1991
TYPE:	Original	LATEST INFO RECEIVED:	10/07/1991
SEC. PARTY:	BANK ONE AKRON NA, AKRON, OH	FILED WITH:	SECRETARY OF
DEBTOR:	BOHECKER'S BUSINESS COLLEGE INC		STATE/UCC DIVISION, OH

FILING NO: 01239604901 DATE FILED: 01/22/1996
TYPE: Continuation LATEST INFO RECEIVED: 10/14/1996
SEC. PARTY: BANK ONE AKRON NA, AKRON, OH ORIG. UCC FILED: 07/22/1991
DEBTOR: BOHECKERS BUSINESS COLLEGE INC ORIG. FILING NO: AE83340
FILED WITH: SECRETARY OF
STATE/UCC DIVISION,
OH

FILING NO:	01239604901	DATE FILED:	01/22/1996
TYPE:	Amendment	LATEST INFO RECEIVED:	10/14/1996
SEC. PARTY:	BANK ONE AKRON NA, AKRON, OH	ORIG. UCC FILED:	07/22/1991
DEBTOR:	BOHECKERS BUSINESS COLLEGE INC	ORIG. FILING NO:	AE83340
		FILED WITH:	SECRETARY OF
			STATE/UCC DIVISION,
			OH

FILING NO: 00005375627 DATE FILED: 07/24/1996
TYPE: Termination LATEST INFO RECEIVED: 09/06/1996
SEC. PARTY: BANK ONE AKRON NA, AKRON, OH ORIG. UCC FILED: 07/22/1991
DEBTOR: BOHECKERS BUSINESS COLLEGE INC ORIG. FILING NO: AE83340
FILED WITH: SECRETARY OF
STATE/UCC DIVISION,
OH

FILING NO:	AE44157	DATE FILED:	01/15/1991
TYPE:	Original	LATEST INFO RECEIVED:	03/29/1991
SEC. PARTY:	MORGAN BANK NA, HUDSON, OH	FILED WITH:	SECRETARY OF
DEBTOR:	BOHECKER'S BUSINESS COLLEGE INC		STATE/UCC DIVISION, OH

COLLATERAL: Specified Inventory including proceeds and products - Specified Account(s) including proceeds and products - Specified Fixtures including proceeds and products - Specified Equipment including proceeds and products - and OTHERS

FILING NO: AE44156
 TYPE: Original
 SEC. PARTY: MORGAN BANK NA, HUDSON, OH
 DEBTOR: BOHECKER'S BUSINESS COLLEGE INC

DATE FILED: 01/15/1991
LATEST INFO RECEIVED: 03/29/1991
FILED WITH: SECRETARY OF
STATE/UCC DIVISION,
OH

COLLATERAL: Specified Inventory including proceeds and products - Specified Account(s) including proceeds and products - Specified Fixtures including proceeds and products - Specified Equipment including proceeds and products - and OTHERS

FILING NO: AE44155
 TYPE: Original
 SEC. PARTY: MORGAN BANK NA, HUDSON, OH
 DEBTOR: BOHECKER'S BUSINESS COLLEGE INC

DATE FILED: 01/15/1991
LATEST INFO RECEIVED: 03/29/1991
FILED WITH: SECRETARY OF
STATE/UCC DIVISION,
OH.

FILING NO: 08289533301
TYPE: Continuation
SEC. PARTY: MORGAN BANK N A, HUDSON, OH
DEBTOR: BOHECKERS BUSINESS COLLEGE INC

DATE FILED: 08/28/1995
LATEST INFO RECEIVED: 10/12/1995
ORIG. UCC FILED: 01/15/1991
ORIG. FILING NO: AE44155
FILED WITH: SECRETARY OF
STATE/UCC DIVISION,
OH

COLLATERAL: Specified Equipment and proceeds

FILING NO: AK45139
TYPE: Original
SEC. PARTY: BANK ONE AKRON NA, AKRON, OH
DEBTOR: BOHECKERS BUSINESS COLLEGE INC

DATE FILED: 09/10/1993
LATEST INFO RECEIVED: 10/29/1993
FILED WITH: SECRETARY OF
STATE/UCC DIVISION,
OH

FILING NO: 00005375620
TYPE: Termination
SEC. PARTY: BANK ONE AKRON NA, AKRON, OH
DEBTOR: BOHECKERS BUSINESS COLLEGE INC

DATE FILED: 07/24/1996
LATEST INFO RECEIVED: 09/06/1996
ORIG. UCC FILED: 09/10/1993
ORIG. FILING NO: AK45139
FILED WITH: SECRETARY OF
STATE/UCC DIVISION,
OH

COLLATERAL: Leased Business machinery/equipment

FILE NO: AK25678
TYPE: Original
SEC. PARTY: C C T FINANCIAL, BROOKLYN
HEIGHTS, OH
ASSIGNEE: ERVIN LEASING CO, ANN ARBOR, MI
DEBTOR: BOHECKER'S BUSINESS COLLEGE

DATE FILED: 06/14/1993
LATEST INFO RECEIVED: 06/29/1993
FILED WITH: SECRETARY OF
STATE/UCC DIVISION,
OH

The public record items contained in this report may have been paid, terminated, vacated or released prior to the date this report was printed.

HISTORY
09/25/96

JOHN FITZPATRICK, CEO

THOMAS CHAPPIE, PRES

BUSINESS TYPE: Corporation -
Profit

DATE INCORPORATED: 08/07/1970
STATE OF INCORP: Ohio

AUTH SHARES-COMMON: 500

PAR VALUE-COMMON: No Par Value

On September 25, 1996 management confirmed the existence of this corporation. Dun & Bradstreet makes a regular search for corporate details and will provide the information as it becomes available.

Business started 1922 by Blanche Brown. Present control succeeded 1986. 100% of capital stock is owned by John Fitzpatrick.

JOHN FITZPATRICK born 1955. 1973-76 attended Miami University, Oxford, OH in 1976.. 1976-81 teacher at Lebanon High School, Lebanon, OH. 1981-83 South Western College of Business as director of education, Dayton, OH. 1984-90 vice president of Cambridge Technical Institute Inc, Cincinnati, OH. Owned no interest.

[redacted] 1979-83 attended Wright State University, Dayton, OH. 1983-84 employed by Miami School District, Miami, OH. [redacted] employed by [redacted] Dayton, OH. [redacted]

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OPERATION

09/25/96

Operates a business college (100%) offering courses for associate degree programs in medical assisting, accounting, business administration, legal secretarial, medical secretarial and office secretarial.

Terms are cash tuitions, Pell grants and guaranteed student loans. Sells to general public. Territory : Northeast Ohio. Nonseasonal.

EMPLOYEES: 26 which includes officer(s).

FACILITIES: Rents premises on third floor of a three story building.

LOCATION: Central business section on main street.

02-11(7WL /700) 99999 012239239

FULL DISPLAY COMPLETE

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RATING CHANGE

Our information indicates this business is no longer active at this location. If you have reason to believe this business is currently operating, please call our Customer Service Center at the phone number listed below to request an investigation.

DUNS: 62-045-6376	DATE PRINTED		
BOHECKER'S BUSINESS COLLEGE INC	FEB 11 1997	RATING	NQ
			FORMERLY
30 GARFIELD PIETPAWK STE 840	BUSINESS COLLEGE		BRANCH
CINCINNATI OH 45202	SIC NO.		
TEL: UNKNOWN	82 44		

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SPECIAL EVENTS

08/16/91 Telephone number given is incorrect and directory assistance has no current listing at this address.

* * * CUSTOMER SERVICE * * *

If you need any additional information, would like a credit recommendation, or have any questions, please call our Customer Service Center at (800) 234-3867 from anywhere within the U.S. From outside the U.S., please call your local D&B office.

02-11(9AI /015)

009 160

FULL DISPLAY COMPLETE

COPYRIGHT 1997 DUN & BRADSTREET INC. - PROVIDED UNDER CONTRACT
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RATING CHANGE

Our information indicates this business is no longer active at this location. If you have reason to believe this business is currently operating, please call our Customer Service Center at the phone number listed below to request an investigation.

DUNS: 61-936-5539	DATE PRINTED		
BOHECKER'S BUSINESS COLLEGE	FEB 11 1997	RATING	NQ
			FORMERLY
1830 YANKEE RD	BUSINESS COLLEGE.		DS.
MIDDLETOWN OH 45044	SIC NO.		
TEL: 937 423-6100	82 44		

SPECIAL EVENTS

12/21/94 There is no longer a branch at this location.

* * * CUSTOMER SERVICE * * *

If you need any additional information, would like a credit recommendation, or have any questions, please call our Customer Service Center at (800) 234-3867 from anywhere within the U.S. From outside the U.S., please call your local D&B office.

PUBLIC FILINGS

The following data is for information purposes only and is not the official record. Certified copies can only be obtained from the official source.

* * * UCC FILING(S) * * *

COLLATERAL: Specified Inventory including proceeds and products - Specified Account(s) including proceeds and products - Specified Fixtures including proceeds and products - Specified Equipment including proceeds and products - and OTHERS

FILING NO:	AE44154	DATE FILED:	01/15/1991
TYPE:	Original	LATEST INFO RECEIVED:	03/29/1991
SEC. PARTY:	MORGAN BANK NA, HUDSON, OH	FILED WITH:	SECRETARY OF
DEBTOR:	BOHECKER'S BUSINESS COLLEGE INC		STATE/UCC DIVISION,
			OH

The public record items contained in this report may have been paid, terminated, vacated or released prior to the date this report was printed.

02-11(012 /15)

009012012

FULL DISPLAY COMPLETE

OH Corporation & Limited Partnership Records - By Name

Data From: 00/00/00 - 01/24/97

Date: 2/11/97

Time: 8:02 AM

Reference: sitc

Requestor: 000

Search Criteria: FITZPATRICK JOHN P

This data is for informational purposes only. Certification can only be obtained through The Office of The Ohio Secretary of State.

No.	Name	Name Type	Corp. ID#/Name	State	Status
1	FITZPATRICK JOHN	R.A.	L.L.M. CORPORATION	OH	INACTIVE
2	FITZPATRICK JOHN	R.A.	MARKET 200 CORPORATION	OH	INACTIVE
3	FITZPATRICK JOHN	R.A.	PHOENIX MULTIMEDIA, INC.	OH	INACTIVE
4	FITZPATRICK JOHN	R.A.	SHAMROCK FIREARMS RESTORA	OH	ACTIVE
5	FITZPATRICK JOHN	R.A.	SHANNON MANAGEMENT & CONS	OH	INACTIVE
6	FITZPATRICK JOHN	R.A.	SHANNON MANAGEMENT & CONS	OH	INACTIVE
7	FITZPATRICK JOHN	R.A.	WILTON CIVIC ASSOCIATION	OH	ACTIVE

End of search.

Cannot
ident
subject ??

OH Corporation & Limited Partnerships Records

Data From: 00/00/00 - 01/24/97

Date: 2/11/97

Time: 8:03 AM

Reference: sitc

Requestor: 000

Search Criteria: FITZPATRICK JOHN P

This data is for informational purposes only. Certification can only be obtained through The Office of The Ohio Secretary of State.

1 (Item Number)

State: OH
Company Name: L.L.M. CORPORATION
Company ID Number: 735784
Incorporated Date: 11/02/1988
Current Status: INACTIVE - NOT IN GOOD STANDING
Corporation Type: CORPORATION FOR PROFIT
Originated State: OHIO
Location: MIDDLETOWN (BUTLER COUNTY)

Stock Information

Class: NO PAR COMMON
Par Value: \$0
Shares: 750

Registered Agent

Name:
Address:



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Incorporator:

Incorporator:

Incorporator: JOHN FITZPATRICK

History Transaction(s)

Date	Number	Description
12/15/1993		CANCELLED BY TAXATION DEPARTMENT
09/09/1993		DOMESTIC CONTINUED EXISTENCE LETTER SERVED
11/02/1988	G496-1847	DOMESTIC ARTICLES/FOR PROFIT CORP

=====

2 (Item Number)

State: OH
Company Name: MARKET 200 CORPORATION
Company ID Number: 665473
Incorporated Date: 11/04/1985
Current Status: INACTIVE - NOT IN GOOD STANDING
Corporation Type: CORPORATION NON PROFIT
Originated State: OHIO
Location: WOOSTER (WAYNE COUNTY)

Registered Agent

Name:
Address:

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Incorporator: JOHN FITZPATRICK

Date	Number	History Transaction(s) Description
05/09/1996	5533-1068	DOMESTIC/DISSOLUTION BY COURT ORDER
09/05/1995		CANCELLED FOR FAILURE TO FILE STMT OF CONT EXISTEN
05/03/1995		LETTER/RENEWAL NOTICE MAILED
08/28/1990	G946-1858	CERTIFICATE OF CONTINUED EXISTENCE
08/28/1990	G946-1858	DOMESTIC/AGENT SUBSEQUENT APPOINTMENT
07/20/1990		LETTER/RENEWAL NOTICE MAILED
11/04/1985	F772-1963	DOMESTIC ARTICLES/NON-PROFIT CORP

3 (Item Number)
State: OH
Company Name: PHOENIX MULTIMEDIA, INC.
Company ID Number: 761802
Incorporated Date: 12/01/1989
Current Status: INACTIVE - NOT IN GOOD STANDING
Corporation Type: CORPORATION FOR PROFIT
Originated State: OHIO
Location: AKRON (SUMMIT COUNTY)

Stock Information

Class: NO PAR COMMON
Par Value: \$0
Shares: 750

Registered Agent

Name:
Address:

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b7C

Incorporator:

Incorporator:

Incorporator: JOHN FITZPATRICK

Date	Number	History Transaction(s) Description
12/16/1991		CANCELLED BY TAXATION DEPARTMENT
12/01/1989	G752-1380	DOMESTIC ARTICLES/FOR PROFIT CORP

4 (Item Number)

State: OH
Company Name: SHAMROCK FIREARMS RESTORATION, INC.
Company ID Number: 673642
Incorporated Date: 03/12/1986
Current Status: ACTIVE - IN GOOD STANDING
Corporation Type: CORPORATION FOR PROFIT
Originated State: OHIO
Location: SHEFFIELD VLG. (LORAIN COUNTY)

Stock Information

Class: NO PAR COMMON
Par Value: \$0
Shares: 500

Registered Agent

Name: JOHN FITZPATRICK
Address: 3732 COLORADO AVE
SHEFFIELD VLG, OH 44054

Incorporator:

Incorporator:

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Date	Number	History Transaction(s) Description
10/26/1993		DOMESTIC CONTINUED EXISTENCE
09/09/1993		DOMESTIC CONTINUED EXISTENCE LETTER SERVED
03/12/1986	F855-1660	DOMESTIC ARTICLES/FOR PROFIT CORP

5 (Item Number)

State: OH
Company Name: SHANNON MANAGEMENT & CONSULTANT, INC.
Company ID Number: 573573
Incorporated Date: 04/27/1981
Current Status: INACTIVE - NOT IN GOOD STANDING
Corporation Type: CORPORATION FOR PROFIT
Originated State: OHIO
Location: BARBERTON (SUMMIT COUNTY)

Stock Information

Class: NO PAR COMMON
Par Value: \$0
Shares: 500

Registered Agent

Name: JOHN FITZPATRICK
Address: 1067 SHANNON AVE
BARBERTON, OH 44203

Incorporator:

JOHN FITZPATRICK

Date	Number	History Transaction(s) Description
03/09/1984		CANCELLED BY TAXATION DEPARTMENT
04/27/1981	E898-0183	DOMESTIC ARTICLES/FOR PROFIT CORP

6 (Item Number)

State: OH
Company Name: SHANNON MANAGEMENT & CONSULTANT, INC.
Company ID Number: 573573
Incorporated Date: 04/27/1981
Current Status: INACTIVE = NOT IN GOOD STANDING
Corporation Type: CORPORATION FOR PROFIT
Originated State: OHIO
Location: BARBERTON (SUMMIT COUNTY)

Stock Information

Class: NO PAR COMMON
Par Value: \$0
Shares: 500

Registered Agent

Name: JOHN FITZPATRICK
Address: 1067 SHANNON AVE
BARBERTON, OH 44203

Incorporator: JOHN FITZPATRICK

Date	Number	History Transaction(s) Description
03/09/1984		CANCELLED BY TAXATION DEPARTMENT
04/27/1981	E898-0183	DOMESTIC ARTICLES/FOR PROFIT CORP

7 (Item Number)

State: OH
Company Name: WILTON CIVIC ASSOCIATION
Company ID Number: 835450
Incorporated Date: 01/08/1993
Current Status: ACTIVE - IN GOOD STANDING
Corporation Type: CORPORATION NON PROFIT
Originated State: OHIO
Location: WILKESVILLE (VINTON COUNTY)

Registered Agent

Name:
Address:

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b7c

Incorporator:

Incorporator:

Incorporator:

JOHN FITZPATRICK

Incorporator:

b6
b7c

Date Number History Transaction(s)
Description

01/08/1993 H512-0253 DOMESTIC ARTICLES/NON-PROFIT CORP
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End of search.